

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 245034

Application Number
(if known): 12/896247

Filing date: October 1, 2010

First Named
Inventor: Broniak, Jay

Title: HOUSEHOLD ENERGY MANAGEMENT SYTEM AND METHOD FOR ONE OR MORE APPLIANCES AND POWER GENERATOR

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Allison W. Mages/

Date November 29, 2011

Name
(Print/Typed) Allison W. Mages

Registration Number 57275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.



*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Broniak, Jay)
Confirmation No.: 9304)
Serial No.: 12/896247)
Filing Date: October 1, 2010)
Atty Docket No.: 245034)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The present disclosure relates to energy management, and more particularly to power consuming device control methods and electrical energy consumption systems. (See [0001]).

Home energy management (HEM) systems are becoming a key to reducing energy consumption in homes and buildings, in a consumer friendly manner. Existing HEMs are commonly in the form of a special custom configured computer with an integrated display, which communicates to devices in the home and stores data, and also has simple algorithms to enable energy reduction. This type of device may also include a keypad for data entry or the display may be a touch screen. In either arrangement, the display, computer and key pad (if used) are formed as a single unit. This single unit is either integrated in a unitary housing, or if the display is not in the same housing, the display and

computer are otherwise connected/associated upon delivery from the factory and/or synchronized or tuned to work as a single unit. (See [0002]).

Key functions of a HEM include: creates a network of energy consuming devices within the home; measures the consumption of the whole home/building or individual devices; records and stores energy consumption information in a database; and enables consumer interface with all energy consuming devices in a home to view consumption data of individual devices, set preferences for operation of energy consuming devices at different times during the day or at different energy pricing levels, and control/program energy consuming devices. (See [0003]).

In some installations, an auxiliary power generating source, such as a gas generator is provided to supply power to the appliances and other energy consuming devices during interruptions in utility power. (See [0004]).

A device and method for enabling an HEM system to work with a home power generator to run the home in a "survival mode" when the home has lost power from the main utility feed. The HEM controls the operation of the main appliances/loads to enable the homeowner to have basic functionality (hot water, lights, heat, cooking & preserving food) of their home, all while ensuring the max draw on the home does not exceed the output rating of the generator thereby allowing the use of a smaller generator while still providing functionality similar to larger generators resulting in energy and cost savings to the consumer. (See [0005]).

In one aspect, a home energy management system comprises a plurality of energy consuming devices adapted to receive power from at least one circuit, a generator for supplying power to the at least one circuit for use by the plurality of energy consuming devices when sufficient utility power is unavailable, and a home energy manager having a controller in communication with said plurality of energy consuming devices, the controller configured to actively control one or more aspects of the operation of at least one of the plurality of energy consuming devices such that the total load of the plurality of energy consuming devices does not exceed the capacity of the generator. (See [0006]).

The home energy manager can be configured to detect when the generator is supplying power to the circuit and automatically implement a low energy use profile to actively control one or more aspects of the operation of the plurality of energy consuming devices such that the total load of the plurality of energy consuming devices does not exceed the capacity of the generator. The home energy manager can be configured to receive a signal from the generator when the generator is supplying power to the at least one circuit. The controller can be configured to actively control one or more aspects of operation of at least one of the plurality of energy consuming devices by switching off a non-essential energy consuming device. The non-essential energy consuming device can be user-defined. The controller can be configured to actively control one or more aspects of operation of at least one of the plurality of energy consuming devices by switching at least one of the plurality of energy consuming devices to a different state of operation. The different state of operation can be a low power

state of operation. The controller can selectively activate a subset of the plurality of energy consuming devices for a first period of time, said subset having a total load less than the capacity of the generator. After the first period of time, the controller can deactivate the first subset and activates a second subset of the plurality of energy consuming devices for a second period of time, said second subset having a total load less than the capacity of the generator. (See [0007]).

In another aspect, a home energy manager comprises: a controller for controlling a plurality of energy consuming devices, and a communications interface for communicating with the plurality of energy consuming devices and a power generator. The controller is configured to receive a signal from the power generator indicating that the power generator is supplying power to the plurality of energy consuming devices and, in response thereto, actively control one or more aspects of the operation of at least one of the plurality of energy consuming devices such that the total load of the plurality of energy consuming devices does not exceed the capacity of the generator. (See [0008]).

The home energy manager can be configured to detect an interruption in utility power ordinarily supplied to the plurality of energy consuming devices, and automatically implement a low energy use profile wherein the controller actively controls one or more aspects of the operation of the plurality of energy consuming devices such that the total load of the plurality of energy consuming devices does not exceed the capacity of the generator. The home energy manager can be configured to receive a signal from the utility indicative of a power interruption. The controller can be configured to actively control one or

more aspects of operation of at least one of the plurality of energy consuming devices by switching off a non-essential energy consuming device. The non-essential energy consuming device can be user-defined. The controller can be configured to actively control one or more aspects of operation of at least one of the plurality of energy consuming devices by switching at least one of the plurality of energy consuming devices to a different state of operation. The different state of operation can be a low power state of operation. The controller can selectively activate a subset of the plurality of energy consuming devices for a first period of time, said subset having a total load less than the capacity of the generator. After the first period of time, the controller can deactivate the first subset and activates a second subset of the plurality of energy consuming devices for a second period of time, said second subset having a total load less than the capacity of the generator. (See [0009]).

In yet another aspect, a method for managing a plurality of energy consuming devices being powered by an auxiliary power generator during a utility power interruption, said devices having a combined power rating in excess of a power generating capacity of the power generator, the method comprises the steps of detecting an interruption of utility power, and actively controlling one or more aspects of the operation of at least one of the plurality of energy consuming devices such that the total load of the plurality of energy consuming devices does not exceed the capacity of the generator. The step of actively controlling can include implementing a user-defined low energy use profile. (See [0010]).

Accordingly, Applicant respectfully submits that Special Status is sought on the basis that the embodiments disclosed herein materially contribute to the more efficient utilization and conservation of energy resources. Said embodiments provide for more efficient control of the operation of accessories in a home energy management system which manages a plurality of communication networks. Amongst several benefits, said embodiments allow for greater informational awareness and control of energy flow, which has been shown to encourage reductions in energy consumption, and results in greater energy efficiency on the part of consumers and utilities.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 29, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,247	10/01/2010	Jay Andrew Broniak	245034/GECZ 201120US01	9304
27885 7590 12/21/2011 FAY SHARPE LLP 1228 Euclid Avenue, 5th Floor The Halle Building Cleveland, OH 44115			EXAMINER DECADY, ALBERT	
			ART UNIT 2121	PAPER NUMBER
			MAIL DATE 12/21/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

In re Application of
BRONIAK, Jay et al.
Application No. 12/896,247
Filed: October 1, 2010
For: **HOUSEHOLD ENERGY MANAGEMENT
SYSTEM AND METHOD FOR ONE OR
MORE APPLIANCES AND POWER
GENERATOR**

**DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM**

The petition filed November 29, 2011 has been treated as a petition under 37 CFR 1.102 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii)

greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4 above for the reasons explained in more detail below.

In the "Statement Concerning the Basis for the Special Status," petitioner states that "In some installations, an auxiliary power generating source, such as a gas generator is provided to supply power to the appliances and other energy consuming devices during interruptions in utility power. (See [0004]). A device and method for enabling an HEM system to work with a home power generator to run the home in a "survival mode" when the home has lost power from the main utility feed. The HEM controls the operation of the main appliances/loads to enable the homeowner to have basic functionality (hot water, lights, heat, cooking & preserving food) of their home, all while ensuring the max draw on the home does not exceed the output rating of the generator thereby allowing the use of a smaller generator while still providing functionality similar to larger generators resulting in energy and cost savings to the consumer. (See [0005])." The "Statement" goes on to further describe other aspects of the invention. However, these statements fail to "explain[] how the materiality standard is met." Since the "disclosure is not clear on its face that the claimed invention contributes under category (A) or (B)," applicant is required to provide a more detail "[explanation] of how the materiality standard is met." This is because the claimed invention encompasses "a gas or diesel generator" which do not utilize renewable energy resources, reduce greenhouse gas emission or regarded as an efficient source of energy. Furthermore, any request for reconsideration will be reviewed pursuant to Section II of the Pilot Program for Green Technologies as set forth in 74 Federal Register Notice 64666, which specifies that "materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could materially enhance the quality of the environment. Nor does such standard permit an applicant to enjoy the benefit of advanced examination merely because some minor aspect of the claimed invention may enhance the quality of the environment."

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272 - 1732.

/ Eddie C. Lee

Eddie C. Lee
Quality Assurance Specialist, TC 2100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jay Andrew BRONIAK)
Confirmation No.: 9304)
Serial No.: 12/896,247)
Filing Date: 10-01-2010)
Atty Docket No.: 245024-1/GECZ 201120US01)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 21 December 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") states that it is not agreed that the application on its face meets the materiality standard. The Decision alleges that the claimed invention includes a gas or diesel generator which do not utilize renewable energy resources, reduce greenhouse gas emission or regarded as an efficient source of energy. The Decision also implies that Applicant speculates as to how a hypothetical end-user might specially apply the invention in a manner that could materially enhance the quality of the environment. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate to energy management, and more particularly to power consuming device control methods and electrical energy consumption systems. (see at least paragraph [0001]).

Smart technology generally relates to a class of technology that uses computer-based remote control and automation. These systems are made possible by two-way communication technology and computer processing and offer many benefits to utilities and consumers; mostly seen in big improvements in energy efficiency. Amongst several benefits, smart energy technologies allow for greater informational awareness and control of energy flow. This informational awareness allows consumers to interface with their energy consumption, providing new levels of detail on how, and how much, electricity is being consumed and at what cost in real time, and give them the tools to increase or decrease their consumption. It also allows utilities to more efficiently manage and adjust electricity transmission, reducing the likelihood of outages and congestion while improving billing accuracy for consumers. Smart energy generally provides consumers and utilities a greater ability to adapt to changing market conditions for greater energy efficiency. ("Smart Grid", Office of Electricity Delivery & Energy Reliability. 2011. Web. 28 July 2011).

Home energy management (HEM) systems are becoming a key to reducing energy consumption in homes and buildings, in a consumer friendly manner. Existing HEMs are commonly in the form of a special custom configured computer with an integrated display, which communicates to devices

in the home and stores data, and also has simple algorithms to enable energy reduction. This type of device may also include a keypad for data entry or the display may be a touch screen. In either arrangement, the display, computer and key pad (if used) are formed as a single unit. This single unit is either integrated in a unitary housing, or if the display is not in the same housing, the display and computer are otherwise connected/associated upon delivery from the factory and/or synchronized or tuned to work as a single unit. (see at least paragraph [0002]).

Key functions of a HEM include: creates a network of energy consuming devices within the home; measures the consumption of the whole home/building or individual devices; records and stores energy consumption information in a database; and enables consumer interface with all energy consuming devices in a home to: view consumption data of individual devices, set preferences for operation of energy consuming devices at different times during the day or at different energy pricing levels, and control/program energy consuming devices. (see at least paragraph [0003]).

In some installations, an auxiliary power generating source, such as a gas generator is provided to supply power to the appliances and other energy consuming devices during interruptions in utility power. (see at least paragraph [0004]).

A device and method for enabling an HEM system to work with a home power generator to run the home in a "survival mode" when the home has lost power from the main utility feed. The HEM controls the operation of the main

appliances/loads to enable the homeowner to have basic functionality (hot water, lights, heat, cooking & preserving food) of their home, all while ensuring the max draw on the home does not exceed the output rating of the generator thereby allowing the use of a smaller generator while still providing functionality similar to larger generators resulting in energy and cost savings to the consumer. (see at least paragraph [0005]).

The embodiments disclosed in the present application provide energy and cost savings to a user, while providing power to the user in an event that power from a main utility feed has been lost. Amongst several benefits, embodiments of the present invention allow for greater informational awareness and control of energy flow, which has been shown to encourage reductions in energy consumption, and results in greater energy efficiency on the part of consumers and utilities. As such, the present invention promotes the more efficient utilization of and conservation of energy.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: January 20, 2012

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,247	10/01/2010	Jay Andrew Broniak	245034/GECZ 201120US01	9304
27885	7590	01/30/2012	EXAMINER	
FAY SHARPE LLP 1228 Euclid Avenue, 5th Floor The Halle Building Cleveland, OH 44115			DECADY, ALBERT	
			ART UNIT	PAPER NUMBER
			2121	
			MAIL DATE	DELIVERY MODE
			01/30/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

1/30/12

In re Application of	:	
Jay A. Broniak et al.	:	DECISION ON PETITION
Application No. 12/896,247	:	TO MAKE SPECIAL UNDER
Filed: October 01, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 245034/GECZ 201120US01	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed January 20, 2012, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010), 75 Federal Register Notice 69049 (November 10, 2010) and 76 Federal Register Notice 77979 (December 15, 2011).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Jack I. Hanoka

Application No. 12896279

Filed: October 1, 2010

Attorney Docket No. STJ-00501

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 07-MAR-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc Code: PET.AUTO Document Description: Petition automatically granted by EFS-Web		PTO/SB/83 U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS	
Application Number	12896292	
Filing Date	01-Oct-2010	
First Named Inventor	John Cobb	
Art Unit	3775	
Examiner Name	THOMAS BARRETT	
Attorney Docket Number	33939/42	
Title	INTERVERTEBRAL IMPLANT DEVICE FOR A POSTERIOR INTERBODY FUSION SURGICAL PROCEDURE	
<input checked="" type="radio"/> Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number:		32642 _____
The reason(s) for this request are those described in 37 CFR: 10.40(b)(4)		
Certifications		
<input checked="" type="checkbox"/> I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment		
<input checked="" type="checkbox"/> I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled		
<input checked="" type="checkbox"/> I/We have notified the client of any responses that may be due and the time frame within which the client must respond		
Change the correspondence address and direct all future correspondence to: The address of the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, associated with Customer Number:		
		102983 _____
I am authorized to sign on behalf of myself and all withdrawing practitioners.		
Signature	/R. Whitney Johnson/	
Name	R. Whitney Johnson	
Registration Number	62997	



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Decision Date : February 13, 2012

In re Application of :

John Cobb

Application No : 12896292

Filed : 01-Oct-2010

Attorney Docket No : 33939/42

DECISION ON REQUEST TO WITHDRAW AS
ATTORNEY/AGENT OF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR§ 1.36(b), filed February 13, 2012

The request is **APPROVED**

The request was signed by R. Whitney Johnson (registration no. 62997) on behalf of all attorneys/agents associated with Customer Number 32642 . All attorneys/agents associated with Customer Number 32642 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with Customer number 102983 .

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	12/896,373	Filing date:	October 1, 2010
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First Named Inventor:	Vihar C. Surti
-----------------------	----------------

Title of the Invention:	Apparatus For Single Port Access
----------------------------	----------------------------------

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBS/EF5_HELP.HTML](http://www.uspto.gov/ebs/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/51111

The international filing date of the corresponding PCT application(s) is/are: October 1, 2010

I. List of Required Documents:

- a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)



Is attached



Is not attached because the document is already in the U.S. application.

- b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).



Is attached.



Is not attached because the document is already in the U.S. application.

- c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(continued)

Application No.:	12/896,373
First Named Inventor:	Vihar C. Surti

- ☐ WO/ISA, WO
Is attached

☐ Has already been filed in the above-identified U.S. application on **June 22, 2011**

- ☐ Are attached.

Have already been filed in the above-identified U.S. application on **June 22, 2011**

II. Claims Correspondence Table:

[illegible]

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Michael N. Spink/	Date June 23, 2011
Name (Print/Typed) Michael N. Spink	Registration Number 47,107



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,373	10/01/2010	Vihar C. Surti	10000-2064 (PA-6625-RFB)	9581
48003	7590	07/08/2011	EXAMINER	
BRINKS HOFER GILSON & LIONE/CHICAGO/COOK PO BOX 10395 CHICAGO, IL 60610			ART UNIT	PAPER NUMBER
			3733	
			MAIL DATE	DELIVERY MODE
			07/08/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BRINKS HOFER GILSON & LIONE/CHICAGO/COOK
PO BOX 10395
CHICAGO IL 60610

<i>In re</i> Application of:	:	DECISION ON A REQUEST TO
SURTI, VIHAR C.	:	PARTICIPATE IN PATENT
Serial No.: 12/896373	:	PCT/PROSECUTION HIGHWAY
Filed: October 1, 2010	:	PROGRAM AND PETITION
Attorney Docket No. : 10000-2064 (PA-6625-RFB)	:	TO MAKE SPECIAL UNDER
Title: APPARATUS FOR SINGLE PORT	:	CFR 1.102(a)
ACCESS	:	

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 23, 2011 to make the above-identified application special.

The request and petition are **dismissed**.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more PCT applications filed in the JPO, EPO, KIPO, or USPTO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
- (6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition met all conditions except Item #6 above.

The request to participate in the PPH program and petition fail to include a copy of a PCT cited references, namely, UK Patent Application GB 2031281. Applicant indicates in the petition that copies of all documents cited in the international work product have already been filed in the U.S. application on June 22, 2011. However, the record shows that the IDS filed on June 22, 2011 only listed GB 2052996, which was the other foreign reference cited by the PCT examiner.

Applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. Response must be filed via EFS-Web.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

Petition is **dismissed**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,373	10/01/2010	Vihar C. Surti	10000-2064 (PA-6625-RFB)	9581
48003 7590 08/04/2011 BRINKS HOFER GILSON & LIONE/CHICAGO/COOK PO BOX 10395 CHICAGO, IL 60610			EXAMINER	
			ART UNIT	PAPER NUMBER
			3733	
			MAIL DATE	DELIVERY MODE
			08/04/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BRINKS HOFER GILSON & LIONE/CHICAGO/COOK
PO BOX 10395
CHICAGO IL 60610

<i>In re</i> Application of:	:	DECISION ON A REQUEST TO
SURTI, VIHAR C.	:	PARTICIPATE IN PATENT
Serial No.: 12/896373	:	PCT/PROSECUTION HIGHWAY
Filed: October 1, 2010	:	PROGRAM AND PETITION
Attorney Docket No. : 10000-2064 (PA-6625-RFB)	:	TO MAKE SPECIAL UNDER
Title: APPARATUS FOR SINGLE PORT	:	CFR 1.102(a)
ACCESS	:	

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 28, 2011 to make the above-identified application special.

The request and petition are **granted**.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more PCT applications filed in the JPO, EPO, KIPO, or USPTO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPR) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
- (6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

A previous decision on the instant petition was mailed on July 8, 2011. The previous decision stated the request and petition failed to meet conditions Item #6 above. Applicant at the time did not submit a copy of foreign reference UK Patent Application GB 2031281, which was cited by the PCT examiner in the IPER. Since then, Applicant has filed an IDS disclosing this reference and submitted a copy thereof.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Applicant has corrected the deficiencies in a timely manner within the given one month period. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

NOV 23 2011

OFFICE OF PETITIONS

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

In re Application of Miyanaga et al.	:	
Application No. 12/896,387	:	
Filing Date: October 1, 2010	:	Decision on Request
Attorney Docket No. 368186US68	:	
Pub. No.: US 2011/0082109 A1	:	
Pub. Date: April 7, 2011	:	

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed June 2, 2011.

The request is **dismissed**.

Applicants requests the application be republished because of the mistakes in the patent application publication identified in the request.

37 C.F.R. § 1.221(b) states,

[Relief under 37 C.F.R. § 1.221 is warranted] only when the Office makes a material mistake which is apparent from Office records.... Any request for corrected publication or revised patent application publication other than provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable.

A mistake is only a “material” mistake if the mistake affects the public’s ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.¹

The mistakes identified in the instant request are not material Office mistakes as required under 37 C.F.R. § 1.221(b). Specifically, the mistakes do not affect the public’s ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent

¹ See Changes to Implement Eighteen-Month Publication of Patent Applications; Final Rule, 65 Fed. Reg. 57023, 57038 (Sept. 20, 2000), 1239 Off. Gaz. Pat. Office 63, 75 (Oct. 10, 2000). See also Section 1130 of the Manual of Patent Examining Procedure (8th ed., Rev. 8, July 2010).

application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. *See* MPEP § 1130(B). Therefore, relief under 37 C.F.R. § 1.221(b) is unwarranted and the request is dismissed.

Applicants are advised that a “request for republication of an application previously published” may be filed under 37 C.F.R. § 1.221(a). The request must include a copy of the application, which complies with the Office’s electronic filing system requirements set forth in 37 C.F.R. § 1.18(d), and the required processing fee set forth in 37 C.F.R. § 1.17(i).

If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in 37 C.F.R. § 1.18(d) will be refunded. However, the processing fee will be retained.

Guidance for filing a request for a Pre-Grant Publication, such as a request for republication, may be found at the links below:

<http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp>

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 C.F.R. § 1.221(a), must be submitted via the EFS system as a “Pre-Grant Publication” and questions or any request for reconsideration of the instant decision should be addressed as follows:

By mail to: Mail Stop PGPUB
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Va. 22313-1450

Telephone inquiries regarding this communication should be directed to Senior Petitions Attorney Steven Brantley at (571) 272-3203.



Christopher Bottorff
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WARD & ZINNA, LLC
382 SPRINGFIELD AVE., SUITE 300
SUMMIT, NJ 07901

MAILED

SEP 26 2011

OFFICE OF PETITIONS

In re Application of	:	
Eiger et al.	:	DECISION ON PETITION
Application No. 12/896,548	:	TO WITHDRAW
Filed: October 1, 2010	:	FROM RECORD
Attorney Docket No. BELABS-002	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed September 2, 2011.

The request is **DISMISSED** as involving a moot issue.

A review of the file record indicates that the power of attorney was revoked by the assignee of the patent application on September 21, 2011. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is moot.

All future communications from the Office will be directed to the below-listed address until otherwise properly notified.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-3206. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

cc: PAULA D. MORRIS
THE MORRIS LAW FIRM, P.C.
PO BOX 420787
HOUSTON TX 77242-0787

Doc Code: PPH.PCT.652

Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)

Approved for use through 01/31/2012. OMB 0651-0058

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION
HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND
THE USPTO**

Application No:	12/896,577	Filing date:	October 1, 2010
First Named Inventor:	Mercier		

Title of the
Invention: **KEY DEVICE FOR MONITORING SYSTEM**

**THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE
SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT
[HTTP://WWW.USPTO.GOV/EBS/EF_HELP.HTML](http://www.uspto.gov/ebs/efs_help.html)**

**APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE
ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.**

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

**The corresponding PCT
application number(s) is/are:** PCT/US2010/051141

**The international filing date of the corresponding
PCT application(s) is/are:** October 1, 2010

I. List of Required Documents:

- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified
corresponding PCT application(s)**

☐

Is attached

☒

Is not attached because the document is already in the U.S. application.

- b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the
above-identified corresponding PCT application(s).**

☒

Is attached.

☐

Is not attached because the document is already in the U.S. application.

- c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English
language). A statement that the English translation is accurate is attached for the document in b. above.**

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(continued)

Application No.:	12/896,577
First Named Inventor:	Mercier

- ☐ WORKSHEET, WORKSHEET, WORKSHEET
Is attached

Has already been filed in the above-identified U.S. application on March 22, 2011


- ☐ Are attached.

Have already been filed in the above-identified U.S. application on March 22, 2011

II. Claims Correspondence Table:

[illegible]

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature 	Date July 11, 2011
Name (Print/Typed) Adam M. Kaplan	Registration Number 59,109

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc Code: PPH.PCT.652

Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)

Approved for use through 01/31/2012. OMB 0651-0058

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION
HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND
THE USPTO**

Application No: **12/896,577** Filing date: **October 1, 2010**

First Named Inventor: **Mercier**

Title of the
Invention: **KEY DEVICE FOR MONITORING SYSTEM**

**THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE
SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT
HTTP://WWW.USPTO.GOV/EBC/EFIS_HELP.HTML**

**APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE
ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.**

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT
application number(s) is/are: **PCT/US2010/051141**

The international filing date of the corresponding
PCT application(s) is/are: **October 1, 2010**

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified
corresponding PCT application(s)**

☐

Is attached

☒

Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the
above-identified corresponding PCT application(s).**

☒

Is attached.

☐

Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English
language). A statement that the English translation is accurate is attached for the document in b. above.**

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(continued)

Application No.:	12/896,577
First Named Inventor:	Mercier

- ☐ WORKSHEET, WORKSHEETS
Is attached

Has already been filed in the above-identified U.S. application on March 22, 2011


- ☐ Are attached.

Have already been filed in the above-identified U.S. application on March 22, 2011

II. Claims Correspondence Table:

[illegible]

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature 	Date July 11, 2011
Name (Print/Typed) Adam M. Kaplan	Registration Number 59,109

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,577	10/01/2010	Michael Mercier	055111/388864	1061
826 7590 07/14/2011 ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000				
			EXAMINER LEE, BENJAMIN C	
			ART UNIT 2612	PAPER NUMBER
			MAIL DATE 07/14/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE NC 28280-4000

In re Application of

MERCIER et al.

Application No.: 12/896,577

Filed: 01 October 2010

Attorney Docket No.: 055111/388864

**For: KEY DEVICE FOR MONITORING
SYSTEMS**

**: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 11 July 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;
- (6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability

along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;


(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.


Lee W. Young
TQAS Technology Center 2600



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
MARK A. RAYMOND

Application No. 12896596

Filed:

Attorney Docket No. 50383-00048

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 01-OCT-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	12/896,596	Filing date:	10/01/2010
First Named Inventor:	Mark A. Raymond		
Title of the invention:	LENS SYSTEM WITH DIRECTIONAL RAY SPLITTER FOR CONCENTRATING SOLAR ENERGY		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EFW/EFW_HELP.HTML](http://www.uspto.gov/efw/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/051181

The international filing date of the corresponding PCT application(s) is/are:

10/01/2010

I. List of Required Documents:

a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM
BETWEEN THE KIPO AND THE USPTO**

(continued)

Application No.: 12/896,596

First Named Inventor: Raymond

- d. (1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.

☐

Is attached

☒

Has already been filed in the above-identified U.S. application on

7/18/2011

- (2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐

Are attached.

☒

Have already been filed in the above-identified U.S. application on

7/18/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
5	5	Identical
6	6	Identical
7	7	Identical
8	8	Identical
9	9	Identical
10	10	Identical
11	11	Identical
12	12	Identical
18	18	Identical
21	21	Identical

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Kent A. Lembke/

Date 07/20/2011

Name (Print/Typed) Kent A. Lembke

Registration Number 44,866

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

MARSH FISCHMANN & BREYFOGLE LLP

(KENT A. LEMBKE) 8055 E. TUFTS AVENUE SUITE 450
DENVER CO 80237 USA**RECEIVED**

JUL - 6 2011

MARSH FISCHMANN &
BREYFOGLE LLP**PCT****NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION**

(PCT Rule 44.1)

Date of mailing
(day/month/year) 28 JUNE 2011 (28.06.2011)

Applicant's or agent's file reference

50383-00050

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.

PCT/US2010/051181International filing date
(day/month/year)**01 OCTOBER 2010 (01.10.2010)**

Applicant

GENIE LENS TECHNOLOGIES, LLC et al

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ With regard to any protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.**4. Reminders**

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until **30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the PCT Applicant's Guide, National Chapters.

Name and mailing address of the ISA/KR

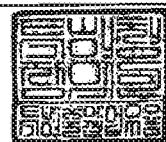
Korean Intellectual Property Office
Government Complex-Daejeon, 189 Cheongsu-ro,
Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

COMMISSIONER

Telephone No. 82-42-481-8755



* Attention

Copies of the documents cited in the international search report can be searched in the following Korean Intellectual Property Office English website for three months from the date of mailing of the international search report.

<http://www.kipo.go.kr/en/> => PCT Services => PCT Services

ID : PCT international application number

PW : 30CNBLHI

Inquiries related to PCT International Search Report or Written Opinion prepared by KIPO as an International Searching Authority can be answered not only by KIPO but also through IPKC (Intellectual Property Korea Center), located in Vienna, VA, which functions as a PCT Help Desk for PCT applicants.

Homepage: <http://www.ipkcenter.com>

Email: ipkc@ipkcenter.com

Phone: +1 703 388 1066

Fax: +1 703 388 1084

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 50383-00050	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2010/051181	International filing date (day/month/year) 01 OCTOBER 2010 (01.10.2010)	(Earliest) Priority Date (day/month/year) 02 OCTOBER 2009 (02.10.2009)
Applicant GENIE LENS TECHNOLOGIES, LLC et al		

This International search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. ☐ This international search report has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box No. II)

3. ☐ Unity of invention is lacking (See Box No. III)

4. With regard to the title,

- ☒ the text is approved as submitted by the applicant.
☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- ☒ the text is approved as submitted by the applicant.
☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 3
☒ as suggested by the applicant.
☐ as selected by this Authority, because the applicant failed to suggest a figure.
☐ as selected by this Authority, because this figure better characterizes the invention.
b. ☐ none of the figure is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2010/051181**A. CLASSIFICATION OF SUBJECT MATTER***F24J 2/08(2006.01); G02B 6/10(2006.01); F24J 2/46(2006.01);*

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

F24J 2/08; F24J 2/06; H01L 31/052; F24J 2/00; F24J 2/18

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Korean utility models and applications for utility models

Japanese utility models and applications for utility models

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

eKOMPASS(KIPO internal) & Keywords: optic, fiber*, optofiber*, lightguide*, waveguide*, light*, wave*, guide* sun*, solar*, concentrat*, absor*, collect*, accumu*,

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2009-0064993 A1 (GHOSH SHONDIP et al.) 12 March 2009	1-2, 13-16
Y	See the abstract, paragraphs 0017, 0021-0022, 0024, 0027 and FIGS. 1-4	3-4, 17, 19-20
A		5-12, 18, 21
Y	EP 2061093 A1 (QUALCOMM MEMS TECHNOLOGIES, INC.) 20 May 2009	3-4, 17, 19-20
	See the abstract, paragraphs 0045-049, 0053, 0073-0074 and FIGS. 1A-1C, 2, 13B-13C	
A	JP 2007-218540 A (NAGAOKA UNIV OF TECHNOLOGY et al.) 30 August 2007	1-21
	See the abstract, page 3 and FIGS. 2-3	



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

28 JUNE 2011 (28.06.2011)

Date of mailing of the international search report

28 JUNE 2011 (28.06.2011)

Name and mailing address of the ISA/KR

Korean Intellectual Property Office
Government Complex-Daejeon, 189 Cheongsu-ro,
Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

LIM, Hyung Gun

Telephone No. 82-42-481-5430



INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/US2010/051181

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 2009-0064993 A1	12.03.2009	AU 2008-299119 A1	19.03.2009
		CA 2698284 A1	19.03.2009
		CN 101809377 A	18.08.2010
		CN 101809377 A	18.08.2010
		EP 2201309 A2	30.06.2010
		JP 2010-539428 A	16.12.2010
		KR 10-2010-0072005 A	29.06.2010
		US 2009-0067784 A1	12.03.2009
		US 2009-064993 A1	12.03.2009
		US 7664350 B2	16.02.2010
		US 7672549 B2	02.03.2010
		WO 2009-035986 A2	19.03.2009
		WO 2009-035986 A3	19.03.2009
		WO 2009-035986 A4	19.03.2009
EP 2061093 A1	20.05.2009	CN 101861658 A	13.10.2010
		CN 101861658 A	13.10.2010
		CN 101904016 A	01.12.2010
		CN 101904016 A	01.12.2010
		EP 2061092 A1	20.05.2009
		EP 2210282 A1	28.07.2010
		JP 2011-503902 A	27.01.2011
		JP 2011-505587 A	24.02.2011
		KR 10-2010-0094511 A	26.08.2010
		KR 10-2010-0096170 A	01.09.2010
		KR20100096170A	01.09.2010
		TW 200929117 A	01.07.2009
		US 2009-0126792 A1	21.05.2009
		US 2009-126792 A1	21.05.2009
		WO 2009-064701 A1	22.05.2009
		WO 2009-064701 A1	22.05.2009
		WO 2009-065069 A1	22.05.2009
		WO 2009-065069 A8	22.05.2009
JP 2007-218540 A	30.08.2007	JP 2007-218540 A	30.08.2007

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

RECEIVED

PCT

JUL 06 2011

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY MARSH FISCHMANN & BREYFOGLE LLP
(PCT Rule 43bis.1)

To:

MARSH FISCHMANN & BREYFOGLE LLP

(KENT A. LEMBKE) 8055 E. TUFTS AVENUE SUITE 450
DENVER CO 80237 USA

Date of mailing
(day/month/year) 28 JUNE 2011 (28.06.2011)

Applicant's or agent's file reference
50383-00050

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/US2010/051181

International filing date (day/month/year)

01 OCTOBER 2010 (01.10.2010)

Priority date(day/month/year)

02 OCTOBER 2009 (02.10.2009)

International Patent Classification (IPC) or both national classification and IPC

F24J 2/08(2006.01)I, G02B 6/10(2006.01)I, F24J 2/46(2006.01)I

Applicant

GENIE LENS TECHNOLOGIES, LLC et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR
Korean Intellectual Property Office
Government Complex-Daejeon, 189
Cheongsu-ro, Seo-gu, Daejeon 302-
701, Republic of Korea
Facsimile No. 82-42-472-7140

Date of completion of this opinion

28 JUNE 2011 (28.06.2011)

Authorized officer

LIM, Hyung Gun

Telephone No. 82-42-481-5430



WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US2010/051181

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of:

a. a sequence listing filed or furnished

- ☐ on paper
- ☐ in electronic form

b. time of filing or furnishing

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US2010/051181

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	3-12,17-21	YES
	Claims	1-2,13-16	NO
Inventive step (IS)	Claims	5-12,18,21	YES
	Claims	1-4,13-17,19-20	NO
Industrial applicability (IA)	Claims	1-21	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:

D1: US 2009-0064993 A1 (GHOSH SHONDIP et al.) 12 March 2009
D2: EP 2061093 A1 (QUALCOMM MEMS TECHNOLOGIES, INC.) 20 May 2009
D3: JP 2007-218540 A (NAGAOKA UNIV OF TECHNOLOGY et al.) 30 August 2007

1. Novelty and Inventive Step

1.1 Concerning Claim 1

D1, which is considered to be the closest prior art to the subject matter of claim 1, discloses an optical concentrating element (marked as 12, identical to the element of lens array), a wave guide (marked as 22, identical to the element of a light wafer), and a reflective section (marked as 32, identical to the element of a ray splitter).

As all of the features of claim 1 are disclosed in D1, this claim is anticipated by D1. Therefore, claim 1 lacks novelty under PCT Article 33(2).

1.2 Concerning Claim 2

The additional feature of claim regarding the position of ray splitter is known from a reflect section of D1 (see figure 2). Therefore, claim 2 lacks novelty under PCT Article 33(2).

1.3 Concerning Claims 3,4

Claims 3,4 differ from D1 in that D1 does not disclose a linear groove. However, it is well known from that D2 has a prismatic feature marked as 108, identical to the element of groove. Accordingly, claims 3,4 would have been obvious over D1 in view of D2. Therefore, claims 3,4 lack an inventive step under PCT Article 33(3).

1.4 Concerning Claims 5,6

Continued on Supplemental Box

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US2010/051181

Supplemental Box

In case the space in any of the preceding boxes is not sufficient,
Continuation of:

Box V

The subject matter of claims 5,6 consist in the selection of angle (37-55, 45- 48 degrees) from the range of (15-120 degrees) described in D2. Such selections can only be regarded as inventive, if the angle in claims 5,6 presents unexpected effects or properties in relation to the rest of the range. However, no such effects or properties are indicated in the application. Hence, no inventive step is present in the subject matter of claims 5,6

1.5 Concerning Claims 7-12

The additional features of dependent claims 7-10 are not disclosed in any of the documents D1-D3, nor are they obvious to a person skilled in the art. Accordingly claims 6-10 are novel and involve an inventive step under PCT Article 33(2)-(3).

1.6 Concerning Claims 13,14

D1 discloses an optical concentrating element (marked as 12, identical to the element of linear fresnel lens, see para. 0017), and two axis solar tracking apparatus (identical to the element of an array positioning mechanism, see para.0024)

As all of the additional features of claims 13,14 are disclosed in D1, these claims are anticipated by D1. Therefore, claims 13,14 lack novelty under PCT Article 33(2).

1.7 Concerning Claim 15

D1, which is considered to be the closest prior art to the subject matter of claim 15, discloses an optical concentrating element (marked as 12, identical to the element of lens array), wave guide (marked as 22, identical to the element of a concentration panel), a reflective section (marked as 32, identical to the element of a ray splitter) and a receiver (marked as 26, identical to the element of a solar collector) As all of the features of claim 15 are disclosed in D1, this claim is anticipated by D1. Therefore, claim 15 lacks novelty under PCT Article 33(2).

1.8 Concerning Claim 16

The additional feature of claim 16 regarding an array positioning mechanism is known from two axis solar tracking apparatus of D1 (see para 0024). Therefore, claim 2 lacks novelty under PCT Article 33(2).

Continued on Supplemental Box

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US2010/051181

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of:

1.9 Concerning Claim 17

Claims 17 differs from D1 in that D1 does not disclose light transmissive material. However, it is well known from that D2 has a light guide marked as 104, identical to the element of transmissive material. Accordingly, claim 17 would have been obvious over D1 in view of D2. Therefore, claim 17 lacks an inventive step under PCT Article 33(3).

1.10 Concerning Claim 18

The additional feature of dependent claims 18 is not disclosed in any of the documents D1-D3, nor are they obvious to a person skilled in the art. Accordingly claim 18 is novel and involves an inventive step under PCT Article 33(2)-(3).

1.11 Concerning Claim 19

The additional feature of claim 19 regarding the 2nd sheet of light transmissive material is known from the 2nd light guiding layer marked as 212 in D2. Accordingly, claim 19 would have been obvious over D1 in view of D2. Therefore, claim 19 lacks an inventive step under PCT Article 33(3).

1.12 Concerning Claim 20

Claim 20 lacks an inventive step under PCT Article 33(3) as being obvious over D1 in view of D2. D1 discloses most of the claimed invention except for a linear groove which positioned proximate to one of the focal points. However D2 teaches the concept of prismatic feature marked as 108. Accordingly, claim 20 would have been obvious over D1 in view of D2. Therefore, claim 20 lacks an inventive step under PCT Article 33(3).

1.13 Concerning Claim 21

The additional feature of dependent claims 21 is not disclosed in any of the documents D1-D3, nor are they obvious to a person skilled in the art. Accordingly claim 21 is novel and involves an inventive step under PCT Article 33(2)-(3).

2. Industrial Applicability

Claims 1-21 are considered to be industrially applicable under PCT Article 33(4) because they are directed to solar power, which can be used in industry.

WE CLAIM:

1. A concentration system for supplying concentrated solar energy, comprising:
a lens array comprising at least one linear lens extending a length of the lens array and focusing light received on an outer surface onto a focal point; and
a light wafer with a substantially planar body formed of a thickness of a light transmissive material, wherein the body includes a top surface facing the lens array and receiving the focused light from at least one the linear lens and a bottom surface opposite the top surface and wherein the light wafer comprises at least one ray splitter directing at least a portion of the received focused light into the body, whereby at least a portion of the directed light from the ray splitter is trapped in the body by total internal reflection.
2. The system of claim 1, wherein the at least one ray splitter is positioned proximate to the focal point of the at least one linear lens.
3. The system of claim 1, wherein the at least one ray splitter comprises a linear groove extending along a length of the body on the bottom surface, whereby an air gap is defined in the body opposite the top surface.
4. The system of claim 3, wherein the linear groove is defined by a pair of sidewalls each extending at an angle from the bottom surface to meet at an apex, whereby the air gap has a triangular cross sectional shape.
5. The system of claim 4, wherein the angle is selected from the range of 37 to 55 degrees.
6. The system of claim 5, wherein the angle is selected from the range of about 45 to about 48 degrees.
7. The system of claim 5, wherein the portion of the directed light is split into two sets of rays with a first set directed toward a first edge of the light wafer body and a second set directed toward a second edge of the light wafer body.

8. The system of claim 7, wherein a first collector is positioned at the first edge to receive at least a portion of the first set of rays and a second collector is positioned at the second edge to receive at least a portion of the second set of rays and wherein the first and second collectors each comprises a thermal collector, a photovoltaic collector, or a combination thermal and photovoltaic collector.

9. The system of claim 8, wherein the lens array includes at a number of the linear lenses and the light wafer includes a like number of the ray splitters aligned with the linear lenses to received focused light from the lens array.

10. The system of claim 9, wherein the system has a concentration ratio of at least about 20 Suns.

11. The system of claim 1, wherein the light wafer further comprises a mirror element with a reflective surface facing the bottom surface to reflect a portion of the focused light escaping the body back into the body.

12. The system of claim 1, further including at least one photovoltaic collector element proximate the bottom surface to receive a portion of the focused light escaping the body.

13. The system of claim 1, wherein the at least one linear lens comprises a linear Fresnel lens.

14. The system of claim 1, wherein the concentrator assembly includes an array positioning mechanism providing two-axis tracking of the lens array including tracking a position of the Sun during daytime hours and periodically adjusting the lens array height based on the Sun's azimuth to match a focal length of the linear lenses to the array height.

15. A concentrated solar power system, comprising:

a concentration panel comprising a sheet of light transmissive material with a first surface for receiving sunlight and an opposite second surface, the second surface including a plurality of spaced apart recessed surfaces defining ray splitters in the sheet;

at least one solar collector positioned proximate an edge of the sheet of the concentration panel; and

a lens array comprising a plurality of lenses focusing received sunlight onto a paired one of the ray splitters in the sheet of the concentration panel, wherein the ray splitters direct at least a fraction of the focused sunlight into the material of the sheet where it is trapped by total internal reflection and toward the edge for collection by the solar collector.

16. The system of claim 15, further including an array positioning assembly operating to match a height of the lens array relative to the concentration panel to a seasonal azimuth for the Sun such that a focal point of each of the lenses is proximate a portion of the paired one of the ray splitters.

17. The system of claim 15, wherein each of the lenses of the array is one of a linear Fresnel lens, a radius lens, a round lens, a round Fresnel lens, and a rectangular lens and the light transmissive material used to form the sheet is a glass, a plastic, or a ceramic material.

18. The system of claim 15, wherein each of the lenses is a substantially identical, linear lens and wherein the ray splitters are elongated grooves in the second surface parallel to the longitudinal axes of the linear lenses and with a triangular cross section defined by a pair of sidewalls at an angle of at least about 37 degrees relative to a plane containing the second surface.

19. The system of claim 15, wherein the concentration panel further comprises a second sheet of light transmissive material with a light receiving surface facing and proximate to the second surface of the sheet of light transmissive material, wherein the second sheet includes a plurality of recessed surfaces defining ray splitters in the sheet, and wherein the ray splitters of the second sheet are laterally offset from the ray splitters of the sheet such that a portion of the focused sunlight passes through the sheet without striking the ray splitters of the sheet to strike the ray splitters of the second sheet to be directed toward an edge of the second sheet.

20. A concentrator for a solar power system, comprising:

- a lens array comprising a plurality of linear lenses each focusing received light onto a focal point a distance apart from the lens array;

- a light wafer with a body of material that is substantially transparent to light, the body having a planar first surface facing the lens array to receive the focused light and having a second surface opposite the first surface; and

- a plurality of linear grooves with triangular cross sections in the second surface, each of the linear grooves being positioned proximate to one of the focal points of the linear lenses and arranged with a longitudinal axis parallel to the linear lenses.

21. The concentrator of claim 20, wherein the triangular cross sections are each defined by two sidewalls at angles of at least about 37 degrees measured from a plane extending through the second surface of the light wafer body, whereby at least a portion of the focused light striking the second surface of the light wafer body at one of the sidewalls is trapped within the body via total internal reflection and travels to an edge of the light wafer body for collection.



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,596	10/01/2010	MARK A. RAYMOND	50383-00048	1096

25231	7590	08/10/2011
MARSH, FISCHMANN & BREYFOGLE LLP		
8055 East Tufts Avenue		
Suite 450		
Denver, CO 80237		

EXAMINER	
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ART UNIT	PAPER NUMBER
1725	

MAIL DATE	DELIVERY MODE
08/10/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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AUG 10 2011

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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WG

In re application of	:	DECISION ON REQUEST TO
Mark Raymond et al.	:	PARTICIPATE IN PATENT
Serial No. 12/896,596	:	PROSECUTION HIGHWAY
Filed: October 1, 2010	:	PROGRAM AND
For: LENS SYSTEM WITH DIRECTIONAL	:	PETITION TO MAKE SPECIAL
RAY SPLITTER FOR	:	UNDER 37 CFR 1.102(a)
CONCENTRATING SOLAR ENERGY	:	

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed July 20, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;

Application No. 12/896,596

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof if the latest international work product is not in the English language; and

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (12-09)

Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 54983

Application Number
(if known): 12/896,615

Filing date: 10/01/2010

First Named
Inventor: Hum

Title: LED Light Sources with Improved Thermal Compensation

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.


This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request. Applicant hereby rescinds under 37 CFR 1.213(b) any previous filed request that the above-identified application not be published under 35 U.S.C. 122(b).

If the application has been published, the petition must still be accompanied by the publication fee set forth in 37 CFR 1.18(d) and a statement that the application has been published.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that was published in the Federal Register if the Office determines that the claims are not obviously directed to a single invention.
3. This request is accompanied by statements of special status for the eligibility requirement.
4. The application contains no more than three (3) independent claims and twenty (20) total claims.
5. The application does not contain any multiple dependent claims.
6. Other attachments: _____

Signature 	Date November 18, 2010
Name (Print/Typed) Calvin B. Ward	Registration Number 30,896
Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.	
<input type="checkbox"/> *Total of _____ forms are submitted.	

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT APPLICATION

Attorney Docket: 54983

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Hum	
Serial No.:	12/896,615	
Filed:	10/01/2010	
For:	LED Light Sources with Improved Thermal Compensation	
Group Art Unit:	not yet assigned	Examiner: not yet assigned

STATEMENT OF SPECIAL STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits that the above-identified patent application should be afforded special status under the green technology pilot program as pertaining to energy conservation. Applicant suggests the classification 257/79 as an appropriate classification for this application, as the subject matter of the invention specifically concerns light emitting diode structures, which are not only active solid state devices, as covered by classification 257, but also incoherent light emitters, as covered by sub-classification 79.

Respectfully Submitted,



Calvin B. Ward
Registration No. 30,896
Date November 18, 2010

18 Crow Canyon Court, Suite 305
San Ramon, CA 94583
Telephone (925) 855-0413
Telefax (925) 855-9214



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,615	10/01/2010	David Hum	54983	1154

28241	7590	11/30/2010
THE LAW OFFICES OF CALVIN B. WARD 18 CROW CANYON COURT, SUITE 305 SAN RAMON, CA 94583		

EXAMINER	
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ART UNIT	PAPER NUMBER
2821	

MAIL DATE	DELIVERY MODE
11/30/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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THE LAW OFFICES OF CALVIN B. WARD
18 CROW CANYON COURT, SUITE 305
SAN RAMON CA 94583

In re Application of	:	
David HUM	:	DECISION ON PETITION
Application No. 12/896,615	:	TO MAKE SPECIAL UNDER
Filed: October 01, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 54983	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on November 18, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

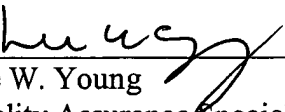
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2821 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION
HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE STATE INTELLECTUAL PROPERTY
OFFICE OF THE P.R.C. (SIPO) AND THE USPTO**

Application No:	12/896, 624	Filing date:	01 Oct 2010
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First Named Inventor:	Ning Zhu
-----------------------	----------

Title of the Invention:	METHOD, SYSTEM, AND DEVICE FOR SEARCHING FOR INFORMATION AND METHOD FOR REGISTERING VERTICAL SEARCH ENGINE
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**THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE
SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT
[HTTP://WWW.USPTO.GOV/EBS/EF5_HELP.HTML](http://www.uspto.gov/ebs/efs_help.html)**

**APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE
ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.**

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

**The corresponding PCT
application number(s) is/are:** PCT/CN2009/070749

**The international filing date of the corresponding
PCT application(s) is/are:** 11 Mar 2009

I. List of Required Documents:

- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified
corresponding PCT application(s)**

☒ Is attached.
☐ Is not attached because the document is already in the U.S. application.

- b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the
above-identified corresponding PCT application(s).**

☒ Is attached.
☐ Is not attached because the document is already in the U.S. application.

- c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English
language). A statement that the English translation is accurate is attached for the document in b. above.**

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE SIPO AND THE USPTO

(continued)

d. (1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

II. Claims Correspondence Table:

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

[Page 2 of 2]



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,642	10/01/2010	A. Stuart Zobel	H5GX008	1212

7590 04/02/2012
Mandelbaum Salsburg P.C.
155 Prospect Avenue
West Orange, NJ 07052

EXAMINER	
LIM, SENG HENG	

ART UNIT	PAPER NUMBER
3717	

NOTIFICATION DATE	DELIVERY MODE
04/02/2012	ELECTRONIC

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(c)
The declaration of express abandonment will not be recognized

This is in response to the petition under 37 CFR 1.138(c), for express abandonment to avoid publication of the above-identified application.

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

- ☐ The petition under 37 CFR 1.138(c) was not filed in sufficient time to permit the appropriate officials to recognize the abandonment and remove the application from the publication process.
- ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
- ☒ The Application was published in compliance with 35 U.S.C. 122(b), and it is available on the USPTO web site at <http://www.uspto.gov/patft/index.html>.
- ☐ Petition fee was not paid.

The application **has/will be published** as scheduled.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Mimi Farmer
Patent Publication Branch
Office of Data Management



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,642	10/01/2010	A. Stuart Zobel	H5GX008	1212

7590 04/02/2012
Mandelbaum Salsburg P.C.
155 Prospect Avenue
West Orange, NJ 07052

EXAMINER

LIM, SENG HENG

ART UNIT	PAPER NUMBER
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3717

NOTIFICATION DATE	DELIVERY MODE
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04/02/2012

ELECTRONIC

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Mimi James

Patent Publication Branch
Office of Data Management



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,769	10/01/2010	Tatsuo YAMAGUCHI	SUTOSH.691AUS	1494

7590 05/18/2011
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER

ART UNIT	PAPER NUMBER
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2422

NOTIFICATION DATE	DELIVERY MODE
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05/18/2011

ELECTRONIC

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management



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P.O. Box 1450
Alexandria, VA 22313-1450
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JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 Tower Blvd.
Suite 1200
Durham, NC 27707

MAILED

MAR 25 2011

OFFICE OF PETITIONS

In re Application of	:	
Winslow et al.	:	
Application No. 12/896,804	:	Decision Refusing to Accord
Filed: October 1, 2010	:	Status Under 37 CFR 1.47(a)
Attorney Docket No. 1483/11/2	:	
For: Methods, Systems, and Computer	:	
Readable Media for Facilitating the	:	
Exchange of Reciprocal Deposits	:	

This is a decision on the petition under 37 CFR 1.47(a) filed January 19, 2011.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. No further petition fee is required for the request. Any response should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)" and may include an oath or declaration executed by the current non-signing inventor(s). **Failure to respond will result in abandonment of the application.**

A grantable petition under 37 CFR 1.47(a) requires

- (1) Proof that the non-signing inventor cannot be found or reached after diligent effort or that the inventor refused to sign the declaration after having been presented with the application papers (specification, claims, and drawings),
- (2) A proper oath or declaration executed by the available joint inventor(s),
- (3) The fee of \$200 as specified in 37 CFR 1.17(g), and
- (4) The last known address of the non-signing inventor(s).

The instant petition fails to satisfy requirement (2) set forth above.

MPEP 605.04(a)(I) states,

[I]t is emphasized that the application filed must be the application executed by the applicant and it is improper for anyone, including counsel, to alter, rewrite, or partly fill

in any part of the application, including the oath or declaration, after execution of the oath or declaration by the applicant.... The Office will not consider whether noninitialed and/or nondated alterations were made before or after signing of the oath or declaration but will require a new oath or declaration.

The address information for inventor Dawn Bunch has been altered on the copy of the declaration signed by Bunch. The alteration is neither initialed nor dated. Therefore, the declaration cannot be accepted.

The first, second, third, and fifth pages of the declaration, which appears to be signed by Adam Roarke, are legible. Unfortunately, the fourth page signed by Roarke is almost completely illegible.

In view of the alteration in the declaration signed by Bunch and the almost complete lack of legibility of a page that appears to be signed by Roarke, the declaration filed with the petition cannot be accepted.

Any request for reconsideration should include a supplemental declaration or an application data sheet ("ADS") correctly identifying the inventors' addresses.¹ Applicants have the option of filing an application data sheet because the only alteration in the declaration, assuming the page signed by Roarke does not contain any alterations, involves a change to the address for an inventor.

Any request for reconsideration should include a legible copy of the declaration signed by Roarke. If a legible copy of the declaration cannot be obtained, Applicants may file a supplemental declaration signed by Roarke.

Further correspondence with respect to this matter may be submitted as follows:

By Internet: A request for reconsideration may be filed electronically using EFS Web.² Document Code "PET.OP" should be used if the request is filed electronically.

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile: (571) 273-8300
Attn: Office of Petitions

¹ If an ADS is filed, the ADS should be titled "Supplemental Application Data Sheet" even though a prior ADS has not been filed. See MPEP 601.15.

² General Information concerning EFS Web can be found at <http://www.uspto.gov/patents/process/file/efs/index.jsp>.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

A handwritten signature in black ink, appearing to read 'C. Brantley', with a stylized flourish at the end.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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JENKINS, WILSON, TAYLOR & HUNT, P.A.
3100 Tower Blvd.
Suite 1200
Durham, NC 27707

MAILED
MAY 27 2011
OFFICE OF PETITIONS

In re Application of	:	
Winslow et al.	:	Decision Noting Joinder of Inventor and
Application No. 12/896,804	:	Decision Dismissing Any Request for
Filed: October 1, 2010	:	Status Under 37 CFR 1.47 as Moot
Attorney Docket No. 1483/11/2	:	

Papers filed April 12, 2011, in response to a decision refusing to accord status under 37 CFR 1.47(a) mailed March 25, 2011, include a declaration signed by the previously non-signing inventor in compliance with 37 CFR 1.63.

In view of the joinder of the inventor, further consideration under Rule 1.47(a) is unnecessary.

Therefore, the petition is **dismissed as moot**.

Technology Center Art Unit 3684 will be informed of the instant decision to ensure the Art Unit is aware the pending petition has been decided and that the application is in condition to be docketed to an examiner and examined in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,914	10/04/2010	Mich��el Leonard Rogers		1841

99770-7590 01/07/2011
Michael Leonard Rogers
1932 Oak Knoll Drive
belmont, CA 94002

EXAMINER

ART UNIT	PAPER NUMBER
2492	

MAIL DATE	DELIVERY MODE
01/07/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

JAN 07 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

Michael Leonard Rogers
1932 Oak Knoll Drive
Belmont CA 94002

In re Application of: ROGERS, Michael L.
Serial No.: 12/896,914
Filed: 10/04/10
Docket: none of record
Title: MULTI-FACTOR AUTHENTICATION
USING A MOBILE PHONE

:
: DECISION ON PETITION TO
: MAKE SPECIAL FOR NEW
: APPLICATION UNDER 37
: C.F.R. § 1.102 & M.P.E.P. §
: 708.02

This is a decision on the petition filed on 10/04/10 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. 1.102(d).

The petition to make the application special is **DENIED**.

REGULATION AND PRACTICE

To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), the following conditions must be satisfied:

I. Conditions Regarding the Application:

1. The application must be a non-reissue utility or design application filed under 37 CFR 1.111 (a);
2. The application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
3. *The application, at the time of filing, must be complete under 37 CFR 1.51 and in condition for examination;*
4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention;
5. The petition must be filed with the application

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any dependent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview.
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.
5. include a statement, made based on a good faith belief, that a pre-examination search in compliance with the following requirements, was conducted, including an identification of the filed of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.
The pre-examination search must:
 - 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
 - 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;
 - 5.3. encompass the disclosed features that may be claimed.
6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
- 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
- 6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
- 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
- 6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;
- 6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

The application as filed is not eligible for the accelerated examination under 37 C.F.R. 1.102(d) because the application fails to meet the requirement at the time of filing as being complete under 37 C.F.R. 1.51 and in condition for examination, namely, I. 3. (MPEP §708.02(a) I. (D.)).

1. More specifically in accordance with the MPEP §708.02(a) VIII (C) Conditions for examination: The application must be in condition for examination at the time of filing. A complete application as defined by 37 CFR 1.51(b) must contain, inter alia, the appropriate filing fee (including the basic filing fee, search fee, and examination fee) and a **signed oath or declaration under 37 CFR 1.63**.

Applicant is encouraged to visit our web site for further details: <http://www.uspto.gov/web/patents/accelerated/> see frequently asked questions (FAQ) #PD 7

The petition to make special will be denied if the application omits an item or includes a paper that causes the Office of Initial Patent Examination (OIPE) to mail a notice during the formality review (e.g., a notice of incomplete application, **notice to file missing parts**, notice to file corrected application papers, notice of omitted items, or notice of informal application). The opportunity to perfect a petition (subsection II above) does **not** apply to applications that are not in condition for examination on filing.

The notice of File Missing Parts mailed 10/06/10 and Applicant's response to Pre-Exam Formalities Notice filed 10/12/10 is evidence that the application was not complete and in condition for examination at the time of filing.

2. The application as filed fails to comply with condition I (1) above, in that the application must be filed with a petition to make special under the AE program accompanied by either the **fee** set forth in 37 CFR 1.17(h) **or** a statement that the claimed subject matter is directed to environmental quality, energy, or countering terrorism. In this case, either of these requirements are found at the time of filing.

3. The petition does not include an Accelerated Examination Pre-Examination Search Document (PESD) and an Examination Support Document (ESD) each including the items above-mentioned. Examples of each document are available in the above-mentioned link.

4. Regarding to the requirement of MPEP 708.02(a) (I) (1) and item II. 6.1 above, an accelerated examination support document **must** include: an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims. Applicants are encouraged to use Form 1449 to list references. Although Applicant may use numbered IDS forms, Form PTO/SB/08A, and Forms PTO/SB/08A. See Filing an Information Disclosure Statement (IDS) tutorial at http://www.uspto.gov/.../dct_ids_tutorial.pdf.

Application as filed, fails to include IDS as required.

Note: If applicant needs to file references that are deemed most closely related and references that are not deemed closely related, applicant is advised to file **two** separate Information Disclosure Statements (IDS), in compliance with 37 CFR 1.98 **one** citing each reference deemed **most closely related** to the subject matter of each of the claims and another citing references deemed **not closely related** to the subject matter of

the claims. Identification as to which IDS is (or not) in support of the petition filed make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d) can be made on the PTO/SB/08A form or on an associated transmittal letter with each IDS.

For the above-stated reasons, the petition is **DENIED**. The application will therefore be taken up by the examiner for action in its regular turn.

Any inquiry regarding this decision should be directed to Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902. A second point of Contact is Kim Huynh at (571)-272-4147.

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400
Networking, Multiplexing, Cable and Security



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MICHAEL L. ROGERS
1932 OAK KNOLL DRIVE
BELMONT, CA 94002

MAILED

JAN 07 2011

In re Application of

Michael L. ROGERS

Application No. 12/896,914

Filed: October 4, 2010

Attorney Docket No.

OFFICE OF PETITIONS

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 4, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **DISMISSED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age, must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition does not include a statement, declaration or evidence showing that the inventor Michael L. Rogers is 65 years of age or more.

Also, it is noted that the request is unsigned. An unsigned paper or one not properly signed by a person having authority to prosecute the application is not entered. This applies, for instance, where a petition (or other paper) is signed by only one of two applicants and the one signing has not been given a power of attorney by the other application.

Therefore, as the petition is not signed, the petition is not considered to be proper.

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

By hand: U. S. Patent and Trademark Office
Customer Service Window, Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By FAX: (571) 273-8300

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7253.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 2492 for action in its regular turn.

/Monica A. Graves/
Petitions Examiner, Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MICHAEL L. ROGERS
1932 OAK KNOLL DRIVE
BELMONT, CA 94002

MAILED

MAR 11 2011

OFFICE OF PETITIONS

In re Application of

Michael L. ROGERS

Application No. 12/896,914

Filed: October 4, 2010

Attorney Docket No.

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:
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:
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:
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DECISION ON PETITION TO MAKE
SPECIAL UNDER 37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed February 2, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes the certification of inventor Michael L. Rogers, attesting to his age. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning either the examination or status of the application should be directed to the Technology Center at 571-272-2400.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7253.

The application is being forwarded to the Technology Center Art Unit 2492 for action on the merits commensurate with this decision.

/Monica A. Graves/
Petitions Examiner, Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 83141837

Application Number
(if known): 12896976

Filing date: 2010-10-04

First Named
Inventor: CHI PAIK

Title: LITHIUM-CONTAINING ELECTRODE MATERIAL FOR ELECTROCHEMICAL CELL SYSTEMS

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Status Statement for Petition to Make Special

Signature /Junqi Hang/

Date 2011-03-04

Name Junqi Hang
(Print/Typed)

Registration Number 54,615

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.



*Total of ¹ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)**

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/896,976	10/04/2010	Chi Paik	83141837	1978
28395 7590 03/28/2011 BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			EXAMINER ROE, CLAIRE L	
			ART UNIT 1727	PAPER NUMBER
			MAIL DATE 03/28/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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United States Patent and Trademark Office
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BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

3/28/2011

In re Application of	:	
Paik et al.	:	DECISION ON PETITION
Application No. 12/896,976	:	TO MAKE SPECIAL UNDER
Filed: 10/4/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83141837	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 3/4/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1727 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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DAY PITNEY LLP
7 TIMES SQUARE
NEW YORK NY 10036-7311

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APR 04 2012
OFFICE OF PETITIONS

In re Application of	:	
PASCARELLI et al.	:	
Application No. 12/897,040	:	DECISION ON PETITION
Filed: 10/04/2010	:	
Attorney Docket No. 406767.114280	:	

This is a decision on the petition under 37 CFR 1.137(b), filed December 29, 2011, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed June 27, 2011, which set a three-month shortened statutory period for reply. Extensions of time for response under the provisions of 37 CFR 1.136(a) were available. As petitioners did not file a timely reply, the application became abandoned on September 28, 2011.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the required reply; (2) the petition fee; and (3) a proper statement of unintentional delay.

The Office notes that an extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Petitioner submitted a \$635.00 extension of time fee with the petition on December 29, 2011, after the maximum extendable period for reply. Accordingly, this fee is unnecessary and will be refunded.

This matter is being forwarded to the Office of Data Management.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3211.

/Christina Tartera Donnell/

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions



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OFFICE OF PETITIONS

**WARNER NORCROSS & JUDD LLP
INTELLECTUAL PROPERTY GROUP
900 FIFTH THIRD CENTER
111 LYON STREET, N.W.
GRAND RAPIDS MI 49503-2487**

In re Application of

Timothy R. PRYOR

Application No. 12/897,056

Filed: October 4, 2010

Attorney Docket No. 135873.141144-US

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 4, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement made by registered attorney Charles E. Burpee, which will be treated as the result of the attorney having evidence that at least one of the applicants is 65 years of age or more. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-6735.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center at (571) 272-2600.

The application is being forwarded to Technology Center Art Unit 2629 for action on the merits commensurate with this decision.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions



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OFFICE OF PETITIONS

**WARNER NORCROSS & JUDD LLP
INTELLECTUAL PROPERTY GROUP
900 FIFTH THIRD CENTER
111 LYON STREET, N.W.
GRAND RAPIDS MI 49503-2487**

In re Application of

Timothy R. PRYOR

Application No. 12/897,061

Filed: October 4, 2010

Attorney Docket No. 135873.141163-US

DECISION ON PETITION

TO MAKE SPECIAL UNDER

37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 4, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement made by registered attorney Charles E. Burpee, which will be treated as the result of the attorney having evidence that at least one of the applicants is 65 years of age or more. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-6735.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center at (571) 272-2600.

The application is being forwarded to Technology Center Art Unit 2629 for action on the merits commensurate with this decision.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions



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OFFICE OF PETITIONS

**WARNER NORCROSS & JUDD LLP
INTELLECTUAL PROPERTY GROUP
900 FIFTH THIRD CENTER
111 LYON STREET, N.W.
GRAND RAPIDS MI 49503-2487**

In re Application of	:	
Timothy R. PRYOR	:	
Application No. 12/897,068	:	DECISION ON PETITION
Filed: October 4, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 135873.141164-US	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 4, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement made by registered attorney Charles E. Burpee, which will be treated as the result of the attorney having evidence that at least one of the applicants is 65 years of age or more. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-6735.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center at (571) 272-2600.

The application is being forwarded to Technology Center Art Unit 2629 for action on the merits commensurate with this decision.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions



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**WARNER NORCROSS & JUDD LLP
INTELLECTUAL PROPERTY GROUP
900 FIFTH THIRD CENTER
111 LYON STREET, N.W.
GRAND RAPIDS MI 49503-2487**

In re Application of

Timothy R. PRYOR

Application No. 12/897,072

Filed: October 4, 2010

Attorney Docket No. 135873.141145-US

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 4, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement made by registered attorney Charles E. Burpee, which will be treated as the result of the attorney having evidence that at least one of the applicants is 65 years of age or more. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-6735.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center at (571) 272-2600.

The application is being forwarded to Technology Center Art Unit 2629 for action on the merits commensurate with this decision.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions



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OFFICE OF PETITIONS

**WARNER NORCROSS & JUDD LLP
INTELLECTUAL PROPERTY GROUP
900 FIFTH THIRD CENTER
111 LYON STREET, N.W.
GRAND RAPIDS MI 49503-2487**

In re Application of

Timothy R. PRYOR

Application No. 12/897,075

Filed: October 4, 2010

Attorney Docket No. 135873.141143-US

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:

:

:

:

:

DECISION ON PETITION

TO MAKE SPECIAL UNDER

37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 4, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement made by registered attorney Charles E. Burpee, which will be treated as the result of the attorney having evidence that at least one of the applicants is 65 years of age or more. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-6735.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center at (571) 272-2600.

The application is being forwarded to Technology Center Art Unit 2629 for action on the merits commensurate with this decision.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions



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**WARNER NORCROSS & JUDD LLP
INTELLECTUAL PROPERTY GROUP
900 FIFTH THIRD CENTER
111 LYON STREET, N.W.
GRAND RAPIDS MI 49503-2487**

MAILED

DEC 02 2010

OFFICE OF PETITIONS

In re Application of :
Timothy R. Pryor :
Application No. 12/897,077 : **ON PETITION**
Filed: October 4, 2010 :
Attorney Docket No. 135873.141161-US :
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 4, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

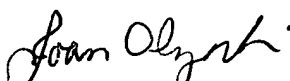
A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement (PTO/SB/130 form) by the applicant's attorney that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

It is not apparent whether the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute this patent application. In accordance with 37 CFR 1.34(a), the signature of appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he/she is authorized to represent the particular party in whose behalf he/she acts.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 2629 for action on the merits commensurate with this decision.


Joan Olszewski
Petitions Examiner
Office of Petitions



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111 LYON STREET, N.W.
GRAND RAPIDS MI 49503-2487

In re Application of

Timothy R. PRYOR

Application No. 12/897,079

Filed: October 4, 2010

Attorney Docket No. 135873.141162-US

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 4, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement made by registered attorney Charles E. Burpee, which will be treated as the result of the attorney having evidence that at least one of the applicants is 65 years of age or more. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-6735.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center at (571) 272-2600.

The application is being forwarded to Technology Center Art Unit 2629 for action on the merits commensurate with this decision.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT
PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN
THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO**

Application No.:	12/897,083	First Named Inventor:	Keith Fiorucci
Filing Date:	10-04-2011	Attorney Docket No.:	2010P04967US; D-1316
Title of the Invention:	Boronized Laying Pipe		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBS/DFS_HELP.HTML](http://www.uspto.gov/ebs/efs_help.html).

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PILOT PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/050314

The international filing date of the corresponding PCT application(s) is/are: 2 September 2011

I. List of Required Documents:

- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**
 - ☐ is attached.
 - ☒ is not attached because the document is already in the U.S. application.
- b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s)**
 - ☒ is attached.
 - ☐ is not attached because the document is already in the U.S. application.
- c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**
- d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**
 - ☐ is attached.
 - ☒ has already been filed in the above-identified U.S. application on January 16, 2012
- (2) Copies of all documents (except for U.S. patents or U.S. patent application publications)**
 - ☐ are attached.
 - ☒ have already been filed in the above-identified U.S. application on January 16, 2012

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	12/897,083	First Named Inventor:	Keith Fiorucci
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II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
8	1	Same claim scope, per Preliminary Amendment of 13 March 2012
9	2	Same claim scope, per Preliminary Amendment of 13 March 2012
10	3	Same claim scope, per Preliminary Amendment of 13 March 2012
11	4	Same claim scope, per Preliminary Amendment of 13 March 2012
12	5	Same claim scope, per Preliminary Amendment of 13 March 2012
13	6	Same claim scope, per Preliminary Amendment of 13 March 2012
14	7	Same claim scope, per Preliminary Amendment of 13 March 2012
15	8	Same claim scope, per Preliminary Amendment of 13 March 2012
16	9	Same claim scope, per Preliminary Amendment of 13 March 2012
17	10	Same claim scope, per Preliminary Amendment of 13 March 2012
18	11	Same claim scope, per Preliminary Amendment of 13 March 2012
19	12	Same claim scope, per Preliminary Amendment of 13 March 2012
20	13	Same claim scope, per Preliminary Amendment of 13 March 2012
21	14	Same claim scope, per Preliminary Amendment of 13 March 2012
22	15	Same claim scope, per Preliminary Amendment of 13 March 2012
23	16	Same claim scope, per Preliminary Amendment of 13 March 2012
24	17	Same claim scope, per Preliminary Amendment of 13 March 2012
25	18	Same claim scope, per Preliminary Amendment of 13 March 2012

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	/Seyed Kaveh E. Rashidi-Yazd, Reg. #59533/	Date	13 March 2012
Name (Print/Typed)	Seyed Kaveh E. Rashidi-Yazd	Registration Number	59,533

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **244006-1** Application Number (if known): **12/897,102** Filing date: **10-04-2010**

First Named Inventor: **Brent Alden Junge**

Title: **WATER HEATER CONTAINING A PHASE CHANGE MATERIAL**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **May 31, 2011**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Brent Alden Junge)
Confirmation No.: 1235)
Serial No.: 12/897,102)
Filing Date: 10-04-2010)
Atty Docket No.: 244006-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,102	10/04/2010	Brent Alden Junge	244006-1	1235

52082	7590	07/11/2011
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484		

EXAMINER	
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ART UNIT	PAPER NUMBER
3744	

NOTIFICATION DATE	DELIVERY MODE
07/11/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gpo.mail@ge.com
allyson.carnaroli@ge.com



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General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of
JUNGE, BRENT ALDEN
Application No. 12/897102
Filed: October 4, 2010
Attorney Docket No. 244006-1

: DECISION ON PETITION
: TO MAKE SPECIAL UNDER
: THE GREEN TECHNOLOGY
: PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed June 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item #4. In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. Petitioner indicates that the basis for Special Status is that the claimed invention contributes to energy conservation. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. It is not clear how the claimed water heater appliance contributes to energy conservation. The claims have nothing to do with the green technologies.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application is currently docketed and ready for examination. The application will be forwarded to the Technology Center Art Unit 3744 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: 12/897,102)
Confirmation No.: 1235)
Serial No.: 12/897,102)
Filing Date: 10-04-2010)
Atty Docket No.: 244006-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 11 July 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that it is not clear how the claimed water heater appliance contributes to energy conservation. The Decision states that the claims have nothing to do with the green technologies. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate to appliances, and more particularly to a water heater storage tank that contains a phase change material. (see at least paragraph [0001]).

The typical water heater generally comprises an electric resistance element as the primary heater. Such systems tend to consume large amounts of energy and are not energy efficient. As an alternative to less efficient water heating systems “hybrid” heating systems have been introduced. A hybrid water heater generally refers to a heat pump that includes an additional heating element as an auxiliary heater. The term “hybrid” generally refers to any number of heating configurations, such as gas electric or heat pumps. Heat pump water heaters produce heat very efficiently, but very slowly. A typical heat pump water heater might move approximately two watts of heat for every one watt of electrical power when heating water slowly. When the demand for hot water increases, the heat pump cannot meet the high heating demand and the heat pump is supplemented by resistive heat, which generally only produces approximately one watt of heat for every watt of electrical power used. To avoid the need for resistance heat, a larger water tank can be used to store additional hot water, but this increases cost and requires more space than is available in many houses. Currently, when a consumer runs out of hot water, one option is to turn up the water temperature. A higher temperature may require a lower percentage of hot water when taking a shower or bath, and thus reduce the hot water demand. However, the increase in the hot water temperature setting will increase energy use and cost. (see at least paragraphs [0002]-[0003]).

Storing heat in a phase change material (“PCM”) can allow a water heater to produce a higher percentage of the heat using the heat pump, because more heat is stored and is ready for high demand periods. A phase change material is

a material that is in a solid phase at low temperatures and a liquid phase at higher temperatures. An exemplary phase change material is PureTemp™, developed by Entropy Solutions of Minneapolis, MN. As the phase change material is heated, its temperature increases until it reaches its melting temperature. At its melting temperature, the phase change material remains in the solid phase while it absorbs a fixed amount of heat, generally understood as the "latent heat of fusion." Once the phase change material absorbs the fixed amount of heat, the phase change material changes phase from solid to liquid. As heat is removed from the phase change material, its temperature decreases until the phase change material's melting temperature is reached. The phase change material remains in the liquid phase until it releases an amount of heat equal to the latent heat of fusion. As the phase change material continues to lose heat, it changes from the liquid to solid phase. The phase change material can store relatively large amounts of heat without having to be heated to high temperatures. The storage of heat in a water heater or storage unit using a phase change material allows the size of the water heater to be reduced, which reduces heat loss and promotes energy savings. (see at least paragraph [0004]).

However, in a situation such as a water storage unit, the phase change material needs to be held in containers that provide a large heat transfer surface area and a large heat transfer coefficient between the container and the water. The arrangement of the phase change material within the cylinder is important in order to prevent the water from bypassing the phase change material, which

would reduce the ability and effectiveness of the phase change material to heat the water in the water storage unit. (see at least paragraph [0005]).

Low energy use is an important attribute in the design and purchase of appliances. A small exterior volume is important in the purchase of a water heater. Many water heaters are stored in closets with limited volume. A smaller volume or sized water heater will allow the heater to fit in a larger percentage of houses. It would be advantageous to effectively transfer heat from a phase change material to the water and increase the energy storage density for a given size tank or footprint, and water storage temperature. (see at least paragraph [0006]).

A potential problem in using phase change material in a water heater is its combination with the resistance or resistive element that is used to heat the water in a water heater. If the resistive element comes in contact with the phase change material, or the container therefor, damage can occur. Thus, the phase change material in a water heater storage tank needs to be kept away from the resistive heater to prevent damage to the phase change material and heater. It is also necessary to prevent damage to the phase change material in the event of a water leak. (see at least paragraph [0007]).

The aspects of the disclosed embodiments are generally directed to a water heater storage tank that includes a heating element or unit and a heat exchange unit. The heat exchange unit according to the disclosed embodiments is a container that includes a phase change material. The use of a phase change material in the water heater storage tank allows more heat to be stored in

the water heater storage tank. The heat exchange unit described herein maximizes heat transfer to the water as the water passes through the water heater storage tank. Thus, the consumer can operate the water heater at a lower temperature and still have an ample supply of hot water available. When the water heater storage tank is a heat pump configuration, operating at a lower temperature utilizes a more efficient heat pump cycle and also minimizes heat loss, which saves energy. (see at least paragraph [00022]). As such, the present invention reduces the energy required to heat water, which effectively promotes the conservation of energy.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: August 10, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,102	10/04/2010	Brent Alden Junge	244006-1	1235
52082	7590	08/17/2011		
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484			EXAMINER	
			ART UNIT	PAPER NUMBER
			3744	
			NOTIFICATION DATE	DELIVERY MODE
			08/17/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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gpo.mail@ge.com
allyson.carnaroli@ge.com



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2 Corporate Drive, Suite 648
Shelton CT 06484

AUG 17 2011

In re Application of --

Brent A. Junge et al.

Application No. 12/897,102

Filed: October 04, 2010

Attorney Docket No. 244006-1

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed August 10, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,102	10/04/2010	Brent Alden Junge	244006-1	1235
52082	7590	08/17/2011		
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484			EXAMINER	
			ART UNIT	PAPER NUMBER
			3744	
			NOTIFICATION DATE	DELIVERY MODE
			08/17/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gpo.mail@ge.com
allyson.carnaroli@ge.com



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General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

AUG 17 2011

In re Application of	:	
Brent A. Junge et al.	:	DECISION ON PETITION
Application No. 12/897,102	:	TO MAKE SPECIAL UNDER
Filed: October 04, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 244006-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed August 10, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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MEDTRONIC, INC. (CRDM)
710 MEDTRONIC PARKWAY NE
MS: LC340 LEGAL PATENTS
MINNEAPOLIS, MN 55432-9924

MAILED

SEP 01 2011

OFFICE OF PETITIONS

In re Application of	:	
James D. Webb, et al.	:	
Application No. 12/897,113	:	DECISION ON PETITION
Filed: October 4, 2010	:	UNDER 37 CFR 1.78(a)(6)
Attorney Docket No.: P0008888.09/LG10126	:	

This is a decision on the petition under 37 CFR 1.78(a)(6), filed August 3, 2011, to accept an unintentionally delayed claim under 35 U.S.C. § 119 for the benefit of priority to the prior-filed provisional application set forth in the concurrently filed amendment.

The petition is **GRANTED**.

A petition under 37 CFR 1.78(a)(6) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after expiration of the period specified in 37 CFR 1.78(a)(5)(ii) and must be filed during the pendency of the nonprovisional application. In addition, the petition must be accompanied by:

- (1) the reference required by 35 U.S.C. § 119(e) and 37 CFR 1.78(a)(5)(i) to the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in § 1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(5)(ii) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

Additionally, the nonprovisional application must be pending at the time of filing of the reference to the prior-filed provisional application as required by 37 CFR 1.78(a)(5)(ii). Further, the non-provisional application claiming the benefit of the prior-filed provisional applications must have been filed within twelve months of the filing date of the prior-filed provisional application.

All of the above requirements having been satisfied, the late claim for priority under 35 U.S.C. § 119(e) is accepted as being unintentionally delayed.

The granting of the petition to accept the delayed benefit claim to the prior-filed application(s) under 37 CFR 1.78(a)(6) should not be construed as meaning that this application is entitled to the benefit of the filing date of the prior-filed application(s). In order for this application to be entitled to the benefit of the prior-filed application, all other requirements under 35 U.S.C. §119(e) and 37 CFR 1.78(a)(4) and (a)(5) must be met. Similarly, the fact that the corrected Filing Receipt accompanying this decision on petition includes the prior-filed application(s) should not be construed as meaning that applicant is entitled to the claim for benefit of priority to the prior-filed application(s) noted thereon. Accordingly, the examiner will, in due course, consider this benefit claim and determine whether the application is entitled to the benefit of the earlier filing date.

A corrected Filing Receipt, which includes the priority claim to the prior-filed provisional application, accompanies this decision on petition.

Any inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. All other inquiries concerning either the examination procedures or status of the application should be directed to the Technology Center.

The application is being forwarded to Technology Center AU 3762 for consideration by the examiner of the claim under 35 U.S.C. §119(e) for the benefit of priority to the prior-filed provisional application.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

Attachment: Corrected Filing Receipt



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
12/897,113	10/04/2010	3762	1090	P0008888.09/LG10126	6	1

CONFIRMATION NO. 1249

CORRECTED FILING RECEIPT



OC000000049524653

27581

Medtronic, Inc. (CRDM)
710 MEDTRONIC PARKWAY NE
MS: LC340 Legal Patents
MINNEAPOLIS, MN 55432-9924

Date Mailed: 08/26/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

James D. Webb, Maple Grove, MN;
Tom Dean Bennett, Shoreview, MN;

Assignment For Published Patent Application

Medtronic, Inc.

Power of Attorney:

Harold Patton--22157	Kenneth Collier--34982
Daniel Latham--30401	Eric Waldkoetter--36713
Thomas Berry--31736	Thomas Woods--36726
Stephen Bauer--32192	Beth McMahon--41987
Curtis Kinghorn--33926	

Domestic Priority data as claimed by applicant

This application is a DIV of 10/612,856 07/03/2003 PAT 7,831,301
which is a DIV of 09/809,915 03/16/2001 PAT 6,599,250
which claims benefit of 60/190,272 03/17/2000

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.)

If Required, Foreign Filing License Granted: 10/18/2010

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/897,113**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No
Title

HEART FAILURE MONITOR QUICKLOOK SUMMARY FOR PATIENT MANAGEMENT SYSTEMS

Preliminary Class

600

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 83165365

Application Number
(if known): 12/897116

Filing date: 10/4/2010

First Named
Inventor: James B. Best

Title: Method of Optimizing Automotive Electrical Wiring

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Mark L. Mollon/

Date 2/10/2011

Name Mark L. Mollon
(Print/Typed)

Registration Number 31123

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)**

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James B. Best	) Group Art Unit: 2858
)
Serial No.: 12/897116	) Confirmation No.: 1253
)
Filed: 10/4/2010	) Examiner: Ha T. Nguyen
)
For: Method of Optimizing Automotive	) Atty. Docket: 83165365
Electrical Wiring)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS

Honorable Sir:

In support of the Petition to Make Special Under the Green Technology Pilot Program, applicant submits the following statement.

The present application is eligible for special status because it materially enhances the quality of the environment by materially contributing to reductions in green house gas emissions.

Fuel economy of motor vehicles depends in significant part on the total mass of the vehicle. Less energy is required to accelerate and decelerate a lighter vehicle. A major contributor to the total weight of a vehicle is the wiring harness. Conventional design processes result in the use of oversized wires, so that excess weight is added to the vehicle. It would be desirable to use the smallest wire size (i.e., largest gauge number) for each respective wire segment to thereby reduce vehicle weight and maximize fuel economy while maintaining sufficient wires sizes to avoid short circuit or other problems. By improving fuel economy, less fuel is combusted and less green house gas is emitted.

In one vehicle design program in which the party in interest (Ford Motor Company) used the present invention, it achieved a weight savings of 6.0 pounds for the

instrument panel wiring harness and a weight savings of 6.5 pounds for the body harness. The estimated fuel economy improvement for the particular vehicle (F250/350 Super Duty trucks) is 0.08%. This improvement will result in a material reduction in the amount of green house gas that is generated.

Favorable action is respectfully solicited.

Respectfully submitted,

/Mark L. Mollon/

Mark L. Mollon
Attorney for Applicant(s)
Reg. No. 31,123

Dated: February 10, 2011
MacMillan, Sobanski & Todd, LLC
One Maritime Plaza, Fifth Floor
720 Water Street
Toledo, Ohio 43604
(734) 542-0900
(734) 542-9569 (fax)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,116	10/04/2010	James B. Best	83165365	1253
28866 7590 05/10/2011 MACMILLAN, SOBANSKI & TODD, LLC ONE MARITIME PLAZA - FIFTH FLOOR 720 WATER STREET TOLEDO, OH 43604				
			EXAMINER PHAN, HUY Q	
			ART UNIT 2858	PAPER NUMBER
			MAIL DATE 05/10/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MACMILLAN, SOBANSKI & TODD, LLC
ONE MARITIME PLAZA - FIFTH FLOOR
720 WATER STREET
TOLEDO OH 43604

In re Application of	:	
BEST et al.	:	DECISION ON PETITION
Application No. 12/897,116	:	TO MAKE SPECIAL UNDER
Filed: October 04, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83165365	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on February 10, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

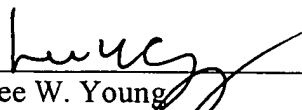
The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The petition alleges that the claimed invention can be used to reduce the weight of a vehicle. The claims are directed to a method of wire selection and not to the manufacture of a vehicle. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to greenhouse gas emission reduction. Any argument that the claimed invention can be used to make vehicles which weigh less is considered speculate as to how a hypothetical end-user might specially apply the claimed invention.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2839 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

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FEB 01 2011

OFFICE OF PETITIONS

MUNCY, BEISSLER, OLDS & LOWE, PLLC
4000 LEGATO RAOD
SUITE 310
FAIRFAX, VA 22033

In re Application of
Sung-Po Cheng
Application No. 11/897,317
Filed: October 4, 2010
Attorney Docket No. 3722/0729PUS1

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).**

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

Inquiries related to this communication should be directed to the undersigned at (571) 272-1642.

/AMW/
April M. Wise
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: FMC 3297 PUS (83161459)

Application Number
(if known): 12897323

Filing date: October 4, 2010

First Named
Inventor: Allan Roy Gale

Title: System And Method For Charging A Vehicle Battery

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Benjamin Stasa/

Date 2011-03-15

Name Benjamin Stasa
(Print/Typed)

Registration Number 55,644

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.



*Total of forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)**

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
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- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,323	10/04/2010	Allan Roy Gale	83161459	1665
28395 7590 03/29/2011 BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			EXAMINER ASSOUAD, PATRICK J	
			ART UNIT 2858	PAPER NUMBER
			MAIL DATE 03/29/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Alexandria, VA 22313-1450
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BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

In re Application of	:	
GALE et al.	:	DECISION ON PETITION
Application No. 12/897,323	:	TO MAKE SPECIAL UNDER
Filed: October 04, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83161459	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on March 17, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

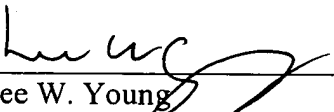
The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. It is not readily apparent how the claimed invention contributes to more efficient utilization and conservation of energy resources or reduction of greenhouse gas emission. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to a green technology. The recitation of "vehicle" in the claims is considered intended use since no vehicle structure is recited. Any argument that the claimed invention could be used with electric and hybrid vehicles would be considered speculate as to how a hypothetical end-user might specially apply the claimed invention.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2858 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ALLAN ROY GALE et al.

Serial No.: 12/897,323

Filed: October 4, 2010

For: SYSTEM AND METHOD FOR CHARGING A VEHICLE BATTERY

Attorney Docket No.: 83161459 (FMC 3297 PUS)

Group Art Unit: 2858

Examiner: Patrick J. Assouad

**PETITION FOR RECONSIDERATION TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY PILOT PROGRAM**

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A petition under 37 CFR 1.102 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies was filed on March 17, 2011 and dismissed on March 29, 2011. The decision on petition indicated that

The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. It is not readily apparent how the claimed invention contributes to more efficient utilization and conservation of energy resources or reduction of greenhouse gas emission. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to a green technology. The recitation of "vehicle" in the claims is considered intended use since no vehicle structure is recited. Any argument that the claimed invention could be used with electric and hybrid vehicles would be considered speculation as to how a hypothetical end user might specially apply the claimed invention.

Decision on Petition, March 29, 2011, p. 2.

In response, applicants submit herewith a preliminary amendment amending claim 8 to read as follows:

A plug-in hybrid electric vehicle comprising:
an electric machine;
a traction battery electrically connected with the electric machine; and
a battery charger configured to receive electrical energy from an electrical energy source if electrically connected with the electrical energy source and to provide a current to the traction battery at a target value that varies according to a voltage associated with the electrical energy if the voltage associated with the electrical energy falls within a predetermined range of voltages.

Claim 8 specifically recites a “plug-in hybrid electric vehicle” with “an electric machine” and “a traction battery electrically connected with the electric machine,” which is vehicle structure indicative of such an alternatively powered vehicle. Hence, the invention of claim 8 materially contributes to the more efficient utilization and conservation of energy resources and greenhouse gas emission reduction. That is, plug-in hybrid electric vehicles materially contribute to the more efficient utilization and conservation of energy resources and greenhouse gas emission reduction.

Applicants respectfully request reconsideration of the petition filed on March 17, 2011 under 37 CFR 1.102 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies. Please charge any additional required fees to Deposit Account No. 06-1510.

Respectfully submitted,

ALLAN ROY GAYLE et al.

By: /Benjamin Stasa/
Benjamin Stasa
Reg. No. 55,644
Attorney for Applicants

Date: April 27, 2011
BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400, Fax: 248-358-3351



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,323	10/04/2010	Allan Roy Gale	83161459	1665
28395 7590 05/10/2011 BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			EXAMINER ASSOUAD, PATRICK J	
			ART UNIT 2858	PAPER NUMBER
			MAIL DATE 05/10/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

In re Application of	:	
GALE et al.	:	DECISION ON PETITION
Application No. 12/897,323	:	TO MAKE SPECIAL UNDER
Filed: October 04, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83161459	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on March 17, 2011 and renewed April 28, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

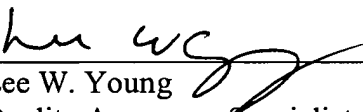
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2858 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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Woods Oviatt Gilman LLP
700 Crossroads Bldg
2 State St.
Rochester NY 14614

MAILED
MAR 01 2011
OFFICE OF PETITIONS

In re Application of	:	
Hale, et.	:	DECISION GRANTING STATUS
Application No. 12/897,357	:	UNDER 37 CFR 1.47(a)
Filed: October 4, 2010	:	
Attorney Docket No. FU042.72016/US2	:	

This is in response to the petition under 37 CFR 1.47(a), filed December 21, 2010.

The petition is **GRANTED**.


Petitioners have shown that the non-signing inventor, Charles R. Hale, has constructively refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to Technology Center A.U. 2129 for examination in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3230.


Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,401	10/04/2010	Michael D. Leach	5490-000687/US/DVB	1811
94507 7590 01/03/2012 Harness Dickey & Pierce (Biomet) 5445 Corporate Drive Suite 200 Troy, MI 48098			EXAMINER KIM, SUN U	
			ART UNIT 1777	PAPER NUMBER
			MAIL DATE 01/03/2012	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Mailed: 1/3/12
In re application of
Leachs
Serial No. 12/897, 401
Filed: 10/24/2010
For: BUOY SUSPENSION FRACTIONATION SYSTEM

wk

:
: DECISION ON
: PETITION
:

This is a decision on a PETITION filed September 1, 2011, which has been accepted as a timely petition under 1.59(b) and MPEP 724.02 and is before the Group Director of Technology Center 1700 for consideration.

DECISION

Petitioner requests that the documents filed August 25, 2011 be expunged. The documents were intended for a different application.

The petition is **GRANTED**.

Section 1.59 has been amended to eliminate references to returning documents that have been expunged to recognize that, with electronic Official files, there will be nothing to return when a paper is expunged.

The Office is capturing electronic images of all documents that form the Official file. Where the image is generated from a physical source document, the originating document may be disposed of once the electronic image accuracy is verified. The paper source document will eventually be destroyed under a United States National Archives and Records Administration (NARA) approved schedule. Therefore, if a document is to be expunged from the record, the only operation that will be required will be removal of the image from the Official file.

Paragraph (a)(1) of §1.59 has been amended by deleting the phrase "and returned" from the first sentence, and deleting the second sentence. Paragraph (b) of §1.59 has been amended by deleting the phrase "and return" from each of the first and second sentences. The Office will continue to provide notice in the Official file that a paper has been expunged and the Office will send a decision to the applicant notifying the applicant that the paper has been expunged.



UNITED STATES PATENT AND TRADEMARK OFFICE

The images will be removed from the Official file.

/Yvonne Eyler/
Director, Technology Center 1700
Chemical and Materials Engineering

Richard W. Warner
Harness, Dickey & Pierce, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	12/897,405	Filing date:	October 4, 2010
First Named Inventor:	Kevin Ka-yui Ma		
Title of the Invention:	METHOD AND APPARATUS FOR PROVIDING AN IDENTIFIER FOR A CALLER ID FUNCTION IN A TELECOMMUNICATION SYSTEM		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBS/DFS_HELP.HTML](http://www.uspto.gov/ebs/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/051320

The international filing date of the corresponding PCT application(s) is/are:

October 4, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

☐

Is attached.

☒

Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐

Is attached.

☒

Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

Application No.:	12/897,405
First Named Inventor:	Kevin Ka-yui Ma

- ☐ Is attached
- ☒ Has already been filed in the above-identified U.S. application on
- August 1, 2011

- ☐ Are attached.
- ☒ Have already been filed in the above-identified U.S. application on August 1, 2011

[illegible]

Signature	/Raymond R. Moser, Jr./	Date	August 2, 2011
Name (Print/Typed)	Raymond R. Moser, Jr.	Registration Number	34,682

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,405	10/04/2010	Kevin Ka-yui Ma	V034	1819

72623 7590 08/04/2011
MOSER TABOADA / VONAGE HOLDINGS CORP.
1030 BROAD STREET
SUITE 203
SHREWSBURY, NJ 07702

EXAMINER	
ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
08/04/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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**MOSER TABOADA / VONAGE HOLDINGS CORP.
1030 BROAD STREET
SUITE 203
SHREWSBURY NJ 07702**

In re Application of

MA et al.

Application No.: 12/897,405

Filed: 04 October 2010

Attorney Docket No.: V034

**For: METHOD AND APPARATUS FOR
PROVIDING AN IDENTIFIER FOR A
CALLER ID FUNCTION IN A
TELECOMMUNICATION SYSTEM**

**: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 02 August 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;


(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.


Lee W. Young
TQAS Technology Center 2600



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,441	10/04/2010	Jo Tominaga	5252-0125PUS1	1887

7590 01/24/2012
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
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1772

NOTIFICATION DATE	DELIVERY MODE
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01/24/2012

ELECTRONIC

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Mimi Sarmes
Patent Publication Branch
Office of Data Management



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,495	10/04/2010	Yuji Takao	6639P1040	1997
8791 7590 07/08/2011 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER VU, KIEU D	
			ART UNIT 2173	PAPER NUMBER
			MAIL DATE 07/08/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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United States Patent and Trademark Office
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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

In re Application of: TAKAO et al.
Application No. 12/897,495
Attorney Docket #: **6639P1040**
Filed: October 4, 2010
For: **DISPLAY PROCESSING DEVICE,
DISPLAY INFORMATION DISTRIBUTION
DEVICE, AND DISPLAY PROCESSING
METHOD**

DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(a)

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 9, 2011 to make the above-identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application is
 - (a) a Paris Convention application which either
 - (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims,
 - Or
 - (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - (i) validly claims priority to an application filed in the JPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims, or
 - (iii) contains no priority claim,
 - Or
 - (c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - (i) validly claims priority to an application filed in the JPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims, or
 - (iii) contains no priority claim.

Where the JPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the JPO application that contains the allowable/patentable claims and the JPO priority application claimed in the U.S. application.

(2) Applicant must submit a copy of:

- a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
- b. An English translation of the allowable/patentable claim(s) and
- c. A statement that the English translation is accurate;

Effective January 29, 2010, for a period of two years ending on January 28, 2012, the USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the allowable/patentable claims in the Japanese application.

(3) Applicant must:

- a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
- b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:

- a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

Further, if a copy of the documents from a above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;

- b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above

- c. A statement that the English translation is accurate;

Effective January 29, 2010, Applicants may submit a machine translation into the English language of the copy of the latest JPO office action just prior to the

“Decision to Grant a Patent” (e.g., the latest “Notification of Reasons for Refusal”) from each of the JPO application(s) containing the allowable/patentable claims that are the basis for the PPH request. The machine translation into the English language must be one that is provided by the JPO. That is, the machine translation into the English language cannot be one that is provided by a commercial service. Where a machine translation into the English language of the copy of the latest JPO office action (obtained from the JPO) is submitted, it will not be necessary to include a statement that the English translation is accurate.

- (6) Applicant must submit:
- a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The petition is **GRANTED**.

The request to participate in the PPH pilot program and petition are found to comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **09432/385002** Application Number (if known): **12/897,519** Filing date: **October 4, 2010**

First Named Inventor: **David Llewellyn Mallis**

Title: **Wedge Threads With A Solid Lubricant Coating**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement of Eligibility

Signature

Date **July 28, 2011**

Name (Print/Typed) **Jeffrey S. Bergman**

Registration Number **45,925**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.



*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: 09432/385002
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Llewellyn Mallis et al.

Application No.: 12/897,519

Confirmation No.: 2058

Filed: October 4, 2010

Art Unit: 3679

For: WEDGE THREADS WITH A SOLID
LUBRICANT COATING

Examiner: Not Yet Assigned

**STATEMENT OF ELIGIBILITY FOR PETITION TO MAKE SPECIAL UNDER THE
GREEN TECHNOLOGY PILOT PROGRAM**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In partial fulfillment of the requirements for the Petition to Make Special Under the Green Technology Pilot Program, enclosed herewith is a Statement of Eligibility.

As stated in the Federal Register, a patent application is eligible for the Green Technology Pilot Program if:

1. The application is a non-reissue, non-provisional utility application filed under 35 USC 111(a) or an international application that has entered the national stage in compliance with national stage 35 USC 371, irrespective of the filing date of the application;
2. The application contains three or fewer independent claims and twenty or fewer total claims, and no multiply dependent claims, and which may be accompanied by a preliminary amendment to cancel excess claims and/or multiple dependent claims at the time the petition to make special is filed;
3. The claims are directed to a single invention that materially enhances the quality of the environment by contributing to the restoration or maintenance of the basic life-sustaining natural elements, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) greenhouse gas emission reduction; and applicant agrees to telephonic restriction without traverse should the examiner find more than one invention;
4. The petition to make special is electronically filed;
5. The petition to make special is filed at least one day prior to the date that a first Office Action appears in the PAIR system;
6. The petition to make special is accompanied by a request for early publication and the publication fee.

The present application meets the eligibility requirements:

1. **The application is a non-reissue, non-provisional utility application filed under 35 USC 111(a) or an international application that has entered the national stage in compliance with national stage 35 USC 371.**

The present application is a non-reissue, non-provisional utility application filed under 35 USC 111(a). The application was filed on October 4, 2010.

2. **The application contains three or fewer independent claims and twenty or fewer total claims, and no multiply dependent claims, which may be accompanied by preliminary amendment to cancel excess claims and/or multiple dependent claims at the time the petition to make special is filed:**

The present original application contains 18 claims and no more than 3 independent claims, with no multiple dependent claims.

3. The claims are directed to a single invention that materially enhances the quality of the environment by contributing to the restoration or maintenance of the basic life-sustaining natural elements.

The claimed subject matter is directed to a single invention that materially enhances the quality of the environment by contributing to the maintenance of basic life-sustaining natural elements of deepwater environments. The solid coating permanently bonded on the tubular connections of the invention of the instant application provides improved thread sealing characteristics over currently used grease-based thread lubricants. In light of the recent Deepwater Horizon oil spill, which devastated vast regions of the Gulf of Mexico and adjoining coastlines, a revived and increased awareness of the importance of using reliable deepwater technologies has arisen. This awareness has prompted further innovation of safer methods and equipment, such as the coated tubular connections of the instant application, to be used when drilling in environmentally sensitive regions. President Obama, in remarks delivered shortly after the disaster, noted that “one of the lessons we’ve learned from this spill is that we need better regulations, better safety standards, and better enforcement when it comes to offshore drilling.” (President Barack Obama, Address to the Nation on the BP Oil Spill, June 15, 2010). The tubular connections of the instant application provide the improved industry safety standards called for to prevent a similar environmental catastrophe.

Threaded connection seals between adjoined tubulars are the critical regions of the drillstring or production string, and are most susceptible to leakage. Any fluid leakage from the threaded connections is immediately exposed to the surrounding environment, which due to the depths at which many deepwater drilling operations are carried out, may be a remote location which is not easily accessible in the event of a fluid leak. Thus, the thread seals must be designed to the

highest standards possible to prevent fluid leaks from occurring in the first place. As identified by the invention of the instant application, a number of advantages are provided by the solid lubricant coating applied to threaded connections of the instant application.

First, the permanently bonded solid lubricant coating the threads does not flow through the threads over time or with loading of the connection as currently used grease based lubricants will. When grease based lubricants flow, the sealing capability of the threaded connection is reduced as well as resistance of the threaded connection to breakout torque (*i.e.*, resistance of the threads to loosening). Loss of connection sealability is harmful enough; however, the loosening and separation of a threaded connection in a remote deepwater environment would be catastrophic. In addition, commonly used grease lubricants are sensitive to elevated temperatures, which are typically experienced in deepwater drilling. For example, at elevated temperatures, grease lubricants may lose their viscosity causing the grease lubricant to lose its sealing capability. In contrast, the permanently bonded solid lubricant coating is resistant to elevated temperatures and is able to maintain sealing capabilities through a wide range of temperatures (in certain instances up to 350 degrees Celsius), as described in the specification. Thus, for the reasons given above, the tubular connection of the instant application will materially enhance maintenance of basic life-sustaining natural elements.

In addition, as stated in the petition, should the USPTO determine that the claims are directed to multiple inventions, applications hereby agree to make an election without traverse in a telephonic interview and elect an invention without traverse.

4. The petition to make special is electronically filed.

The petition has been electronically filed herewith.

Application No.: 12/897,519

Docket No.: 09432/385002

- 5. The petition to make special is filed at least one day prior to the date that a first Office Action appears in PAIR.**

At the time of filing of this petition no Office Action appears in PAIR system for this application.

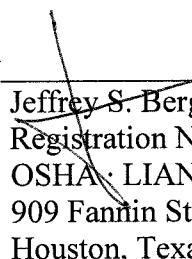
- 6. The petition to make special is accompanied by a request for early publication and the publication fee.**

The application has been published as US Publication No. 2011/0084477.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0591, under Reference No. 09432/385002.

Dated: July 28, 2011

Respectfully submitted,

By 
Jeffrey S. Bergman
Registration No.: 45,925
OSHA · LIANG LLP
909 Fannin Street, Suite 3500
Houston, Texas 77010
(713) 228-8600

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM		
Attorney Docket Number: 09432/385002	Application Number (if known): 12/897,519	Filing date: October 4, 2010
First Named Inventor: David Llewellyn Mallis		
Title: Wedge Threads With A Solid Lubricant Coating		
APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition: <u>Applicant is requesting early publication:</u> Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.		
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.		
3. This request is accompanied by statements of special status for the eligibility requirement.		
4. The application contains no more than three (3) independent claims and twenty (20) total claims.		
5. The application does not contain any multiple dependent claims.		
6. Other attachments: <u>Statement of Eligibility</u>		
Signature	Date July 28, 2011	
Name (Print/Typed) Jeffrey S. Bergman	Registration Number 45,925	
Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.		
<input type="checkbox"/> *Total of _____ forms are submitted.		

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/01/2011 SDIRETA1 00000002 500591 12897519

01 FC:1504 300.00 DA

Application No.: 12/897,519

Docket No.: 09432/385002

- 5. The petition to make special is filed at least one day prior to the date that a first Office Action appears in PAIR.**

At the time of filing of this petition no Office Action appears in PAIR system for this application.

- 6. The petition to make special is accompanied by a request for early publication and the publication fee.**

The application has been published as US Publication No. 2011/0084477.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0591, under Reference No. 09432/385002.

Dated: July 28, 2011

Respectfully submitted,

By _____
Jeffrey S. Bergman
Registration No.: 45,925
OSHAN LIANG LLP
909 Fannin Street, Suite 3500
Houston, Texas 77010
(713) 228-8600



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,519	10/04/2010	David Llewellyn Mallis	09432/385002	2058
22511	7590	09/16/2011	EXAMINER	
OSHA LIANG L.L.P. TWO HOUSTON CENTER 909 FANNIN, SUITE 3500 HOUSTON, TX 77010			HEWITT, JAMES M	
			ART UNIT	PAPER NUMBER
			3679	
			NOTIFICATION DATE	DELIVERY MODE
			09/16/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com
hathaway@oshaliang.com
kennedy@oshaliang.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SEP 15 2011

OSHA LIANG L.L.P.
TWO HOUSTON CENTER
909 FANNIN, SUITE 3500
HOUSTON TX 77010

In re Application of	:	
DAVID MALLIS et al.	:	DECISION ON PETITION
Application No. 12/897,519	:	TO MAKE SPECIAL UNDER
Filed: October 4, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 09432/385002	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 28, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

As set forth at numeral 8 in the Requirements section of the Notice, the petition to make special must be accompanied by a request for early publication and the publication fee set forth in 37 CFR 1.18(d). Petitioner's deposit account has been charged the \$300 early publication fee in accordance with this notice. Payment is needed even if the application is already published.

The petition lacks item 4.

In regard to item 4, there is no evidence in the instant application that the claimed tubular connection and method enhances the quality of the environment or contributes to the maintenance of basic life-sustaining natural elements. The claimed tubular connection and method are not necessarily used in drilling operations. Threaded connection seals/lubricants may enhance the connection between the tubular elements by creating a tight seal to minimize damage to the pipes and improve the safety of the connection, but a seal or a lubricant does not enhance the quality of the environment. Petitioner's comments regarding the Deepwater Horizon oil spill have been considered but not found persuasive -- the oil spill was caused by natural gas buildup forced its way up the well bore and onto the rig platform and a malfunctioned blowout preventer, not the tubular connections. Petitioner's assertion of the enhancement of the quality of the environment by the claimed tubular connection and method is merely speculation. As stated in the notice, the materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner than could materially contribute to category (A) or (B). *Also see MPEP § 708.02 (VI)*. Accordingly, it is not agreed that the application on its face meets that materiality standard.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3679 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED

JUN 14 2011

OFFICE OF PETITIONS

**Kilpatrick Townsend & Stockton LLP
Two Embarcadero Center
Eighth Floor
San Francisco, California 94111-3834**

In re Application of :
Herb HUANG et al. : DECISION DISMISSING PETITION
Application No. 12/897,617 : UNDER 37 CFR 1.47
Filed: 4 October 2010 :
Atty Docket No. 021653-003000US :

This is in response to the petition under 37 CFR 1.47(a), filed 20 December 2010.

The petition is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(a) requires:

- (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims, and drawings);
- (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§115 and 116;
- (3) the petition fee; and
- (4) a statement of the last known address of the non-signing inventor.

In this present petition, applicant lacks items (1).

Item (1) requires that a "diligent effort" be expended in attempting to find or reach the non-signing inventor (35 U.S.C. § 116) (*see also*, MPEP 409.03(a)). The showing currently fails to demonstrate, with a documented showing, that a diligent effort was made to find or locate non-signing inventors Fish Ren and Nancy Han, such that the

declaration can be accepted under 37 CFR 1.47(a), for the following reasons: In the statement of facts submitted 20 December 2010, the petitioner has provided the last known address of Nancy Han but has failed to provide the last known address of Fish Ren **within the Declaration of Facts**. Further, the petitioner has failed to provide evidence that Fish Ren was not reachable by regular mail, or that Nancy Han was not available via online searching. Still further, petitioner has listed several exhibits (A-E) but has failed to supply these exhibits or copies thereof. Petitioner has asserted that Ms. Marisabel Tejera has contacted Z. Chen and Y. Wang for the telephone number, home address, and email address of the non-signing inventors; as stated, statements based on hearsay are not normally accepted. Lastly, there is no showing the non-signing inventors were presented with the application papers.

Additional evidence should include whether petitioner has access to the personnel records of inventors Ren and Han, and, if so, what does inspection of the records reveal as to a current address, forwarding address, or an address of the nearest living relative? What does inspection of the phone directories for those address locations reveal? If a forwarding address is provided, petitioner should then mail a complete copy of the application papers (specification, claims, drawings, oath, etc.) to the unsigned inventors' addresses, return receipts requested, along with a cover letter of instructions which includes a deadline. If the papers are returned and all other attempts to locate or reach both inventors, e.g., through personnel records, co-workers, E-mail, the Internet or the telephone, etc., continue to fail, then applicant will have established that the inventor cannot be reached after diligent effort. The statements of facts must be signed, where at all possible, by a person having firsthand knowledge of the facts recited therein and should be accompanied by documentary evidence in support of the statement of facts. It is important that the forthcoming communication contain statements of fact as opposed to conclusions.

Where there is an express or oral refusal, that fact, along with the time and place of the refusal, must be stated in an affidavit or declaration by the party to whom the refusal was made. Where there is a written refusal, a copy of the document evidencing that refusal must be made part of the affidavit or declaration.

When it is concluded by the rule 47 application that an omitted inventor's conduct constitutes a refusal, all facts upon which that a conclusion is based should be stated in an affidavit or declaration. If there is documentary evidence to support facts alleged in the affidavit or declaration, such evidence must be submitted.

Whenever an omitted inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the affidavit or declaration.

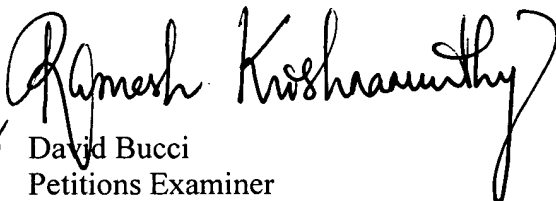
Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

By hand: U. S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

The centralized facsimile number is **(571) 273-8300**.

General inquiries relating to this decision should be directed to Robert DeWitty (571-272-8427).


for David Bucci
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

Kilpatrick Townsend & Stockton LLP
Two Embarcadero Center
Eighth Floor
San Francisco, California 94111-3834

MAILED
AUG 29 2011
OFFICE OF PETITIONS

In re Application of :
Herb HUANG et al. : DECISION DISMISSING PETITION
Application No. 12/897,617 : UNDER 37 CFR 1.47
Filed: 4 October 2010 :
Atty Docket No. 021653-003000US :

This is in response to the renewed petition under 37 CFR 1.47(a), filed August 11, 2011.

The petition is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(a) requires:

- (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims, and drawings);
- (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§115 and 116;
- (3) the petition fee; and
- (4) a statement of the last known address of the non-signing inventor.

In this present petition, applicant lacks items (1).

Regarding item (1), whereas petitioner has exhibited efforts in attempting to find or reach non-signing inventors Nancy Han and Fish Ren, petitioner has not shown:

(1) that the cover letter accompanying the application papers sent to Nancy Han included a deadline for returning the documents;

(2) last known addresses for Fish Ren and Nancy Han; and

(3) that a copy of the application papers have been sent to Fish Ren.

Following sending the application papers and cover letter having a deadline for returning the declaration, if the papers are returned, and all other attempts to locate or reach the inventors continue to fail, then applicant will have established that the inventors cannot be reached after diligent effort. Statements of facts must be signed, where at all possible, by a person having firsthand knowledge of the facts recited therein and should be accompanied by documentary evidence in support of the statement of facts. It is important that the forthcoming communication contain statements of facts as opposed to conclusions.

Where there is an express or oral refusal, that fact, along with the time and place of the refusal, must be stated in an affidavit or declaration by the party to whom the refusal was made. Where there is a written refusal, a copy of the document§ evidencing that refusal must be made part of the affidavit or declaration.

When it is concluded by the rule 47 application that an omitted inventor's conduct constitutes a refusal, all facts upon which that a conclusion is based should be stated in an affidavit or declaration. If there is documentary evidence to support facts alleged in the affidavit or declaration, such evidence must be submitted.

Whenever an omitted inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the affidavit or declaration.


Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

By hand: U. S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries relating to this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427).


for Anthony Knight
Director
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

Kilpatrick Townsend & Stockton LLP
Two Embarcadero Center
Eighth Floor
San Francisco, California 94111-3834

MAILED
DEC 21 2011
OFFICE OF PETITIONS

In re Application of :
Herb HUANG et al. : DECISION DISMISSING PETITION
Application No. 12/897,617 : UNDER 37 CFR 1.47
Filed: 4 October 2010 :
Atty Docket No. 021653-003000US :

This is in response to the renewed petition under 37 CFR 1.47(a), filed November 29, 2011.

The petition is **GRANTED**.

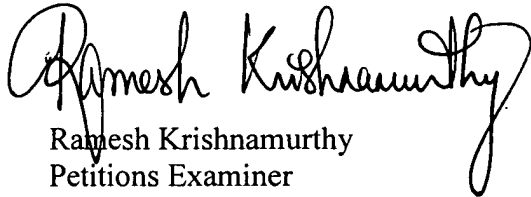
A grantable petition under 37 CFR 1.47(a) requires:

- (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims, and drawings);
- (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§115 and 116;
- (3) the petition fee; and
- (4) a statement of the last known address of the non-signing inventor.

Petitioner has shown that the non-signing inventors Nancy Han and Fish Ren cannot be found after diligent effort. The application and papers have been received and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 47 status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in that petition. Notice of the filing of this application will be published in the Official Gazette.

Telephone inquiries relating to this decision should be directed to Robert DeWitty,
Petitions Attorney, Office of Petitions (571-272-8427).

A handwritten signature in black ink, appearing to read "Ramesh Krishnamurthy". The signature is fluid and cursive, with the first name "Ramesh" and last name "Krishnamurthy" clearly distinguishable.

Ramesh Krishnamurthy
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

Nancy Han
18 Qingtong Road, Building 7
Room 502
Shanghai 201203
People's Republic of China

MAILED
DEC 21 2011
OFFICE OF PETITIONS

In re Application of
Herb Huang, Wei Min Li, Fish Ren, and Nancy Han
Application No. 12/897,617
Filed: October 4, 2010
For: METHOD AND STRUCTURE FOR TOP METAL FORMATION OF LIQUID
CRYSTAL ON SILICON DEVICES

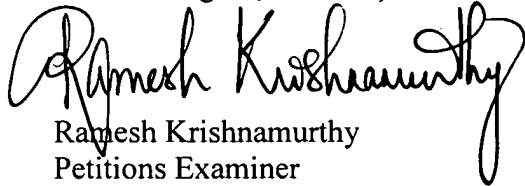
Dear Ms. Han:

You are named as joint inventor in the above-identified United States patent application, filed under the provisions of 35 USC 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application, you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Robert DeWitty at (571) 272-8427. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should

be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

A handwritten signature in black ink, reading "Ramesh Krishnamurthy". The signature is fluid and cursive, with the first name "Ramesh" being more prominent and the last name "Krishnamurthy" following in a similar style.

Ramesh Krishnamurthy
Petitions Examiner
Office of Petitions

cc: KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

Fish Ren
No. 31-609, Lane 18 Qingtong Road
Pudong New Area
Shanghai 201203
People's Republic of China

MAILED
DEC 21 2011
OFFICE OF PETITIONS

In re Application of
Herb Huang, Wei Min Li, Fish Ren, and Nancy Han
Application No. 12/897,617
Filed: October 4, 2010
For: METHOD AND STRUCTURE FOR TOP METAL FORMATION OF LIQUID
CRYSTAL ON SILICON DEVICES

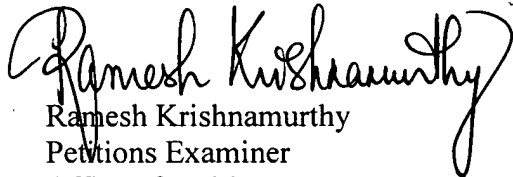
Dear Mr. Ren:

You are named as joint inventor in the above-identified United States patent application, filed under the provisions of 35 USC 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application, you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Robert DeWitty at (571) 272-8427. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should

be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

A handwritten signature in black ink, reading "Ramesh Krishnamurthy". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

Ramesh Krishnamurthy
Petitions Examiner
Office of Petitions

cc: KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

PATTERSON & SHERIDAN LLP
3040 POST OAK BOULEVARD
SUITE 1500
HOUSTON TX 77056

MAILED

JAN 18 2011

OFFICE OF PETITIONS

In re Application of	:	
Duluk, et al.	:	
Application No. 12/897,622	:	DECISION ACCORDING STATUS
Filed: October 4, 2010	:	UNDER 37 CFR 1.47(a)
Attorney Docket No. NVDA/SC-09-	:	
0282-US0-US1	:	

This is in response to the petition under 37 CFR 1.47(a), filed December 20, 2010.

The petition under 37 CFR 1.47(a) is **GRANTED**.

Rule 47 applicant has demonstrated that inventor Bowman has refused to sign the declaration after having been presented with the application papers.

The petition and declaration have been reviewed and determined to be in compliance with 37 CFR 1.47(a).

The application is hereby accorded Rule 47 status.

As provided in 37 CFR 1.47(c), the Office will provide notice of this application's filing to the non-signing inventor at the address provided in the declaration. Notice will also be provided in the Official Gazette.

Application No. 12/897,622

Page 2

The application is being forwarded to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.

A handwritten signature in black ink, appearing to read "Cliff Congo".

Cliff Congo
Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JAMES BOWMAN
1946 PESCADERO RD
PESCADERO CA 94060

MAILED

JAN 18 2011

OFFICE OF PETITIONS

In re Application of	:	
Duluk, et al.	:	
Application No. 12/897,622	:	
Filed: October 4, 2010	:	LETTER
Title: Restart Index that Sets a Topology	:	

Dear Mr. Bowman:

You are named as an inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Cliff Congo at (571)272-3207. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Cliff Congo
Petitions Attorney
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 31500.85

Application Number
(if known): 12/897,633

Filing date: October 4, 2010

First Named
Inventor: AHMET Z. SAHIN

Title: ENERGY CONVERSION EFFICIENT THERMOELECTRIC POWER GENERATOR

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

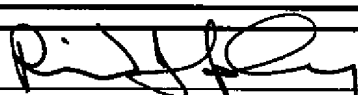
3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature



Date 01-24-2011

Name
(Print/Typed)

RICHARD J. APLEY

Registration Number 51,316

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 1.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.



*Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No. 31500.85
Confirmation No. 2287
Customer No. 37833

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE PATENT APPLICATION OF:

APPLICANT: **AHMET Z. SAHIN *et al.***

SERIAL NO: **12/897,633**

ART UNIT: **1795**

FILED: **OCTOBER 4, 2010**

EXAMINER: **UNKNOWN**

FOR: **ENERGY CONVERSION EFFICIENT THERMOELECTRIC
POWER GENERATOR**

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

**STATEMENT OF SPECIAL STATUS
SUPPLEMENTAL TO PETITION TO MAKE SPECIAL UNDER THE GREEN
TECHNOLOGY PILOT PROGRAM**

Sir:

This communication is supplemental to the Petition to Make Special Under the Green Technology Pilot Program being filed herewith for the above-referenced patent application, in support of the present invention's meeting of the eligibility requirements therefor. Additionally, Applicant is requesting early publication under CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

Advancement of examination out of turn of the above-referenced patent application is hereby requested under the Green Technology Pilot Program. The present invention generally relates to *energy conservation*.

In particular, the present invention is drawn to an energy conversion efficient thermoelectric power generator, which includes a p-type thermoelectric element, an n-type thermoelectric element positioned adjacent the p-type thermoelectric element, but with a gap being defined therebetween, and first and second conductive members electrically connecting opposed top and the bottom ends of the p-type and n-type thermoelectric elements, respectively. The first conductive member forms a hot junction with the top ends of the p-type and n-type thermoelectric elements, and the second conductive member forms a cold junction with the bottom ends of the p-type and n-type thermoelectric elements.

An external load R_L is connected in parallel with the second conductive member. The slenderness ratio X for the p-type thermoelectric element and for the n-type thermoelectric element is given by $X = \frac{1}{\sqrt{r_k r_{ke}}}$, and an external load parameter Y for the p-type thermoelectric element and for the n-type thermoelectric element is given by $Y = \sqrt{1 + ZT_{ave}} \left(1 + \sqrt{\frac{r_k}{r_{ke}}} \right)$, where r_k is a ratio of a thermal conductivity of the p-type thermoelectric element to a thermal conductivity of the n-type thermoelectric element, and r_{ke} is a ratio of an electrical conductivity of the p-type thermoelectric element to an electrical conductivity of the n-type thermoelectric element. The materials and dimensions of the p-type and n-type thermoelectric elements are selected such that $0 \leq X \leq 1$ for each of the p-type and n-type thermoelectric elements.

ZT_{ave} is a figure of merit based on average temperature of the thermoelectric power generator given by $ZT_{ave} = \frac{\alpha^2}{\left(\sqrt{\frac{k_n}{k_{e,n}}} + \sqrt{\frac{k_p}{k_{e,p}}}\right)^2} \left(\frac{T_1 + T_2}{2}\right)$, where α is the Seebeck

coefficient, T_1 is a temperature of the hot junction, T_2 is a temperature of the cold junction, k_n is the thermal conductivity of the n-type thermoelectric element and k_p is the thermal conductivity of the p-type thermoelectric element $k_{e,n}$ is the electrical conductivity of the n-type thermoelectric element and $k_{e,p}$ is the electrical conductivity of the p-type thermoelectric element.

As noted above, in order to enhance the energy conversion efficiency of the thermoelectric power generator, the materials and dimensions of the p-type and n-type thermoelectric elements are selected such that the ratio r_k and the ratio r_{ke} produce a slenderness ratio X in the range of $0 \leq X \leq 1$. Further, in order to greater enhance the efficiency, the ratio r_k and the ratio r_{ke} are selected such that the slenderness ratio X for each of the p-type and n-type thermoelectric elements is approximately one. Additionally, the ratio r_k , the ratio r_{ke} , and the electrical and thermal conductivities of the p-type and n-type thermoelectric elements are selected such that the external load parameter has a value of approximately three. The ratio r_k may further be selected to have a value within the range of approximately one to approximately five.

In the present invention, the energy conversion efficiency of the thermoelectric power generator device is greatly improved (when compared to conventional thermoelectric power generators) through the thermodynamic optimization of operating and thermoelectric device parameters.

It is now believed that the requirements to accelerate examination of the above-referenced patent application under the Green Technology Pilot Program have been met, and such action is respectfully requested.

Respectfully submitted,



Richard J. Apley
Registration No. 51,316
(703) 486-1000

RJA:mdr



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,633	10/04/2010	AHMET Z. SAHIN	31500.85	2287
37833 7590 02/04/2011 LITMAN LAW OFFICES, LTD. PATENT LAW BUILDING 8955 CENTER STREET MANASSAS, VA 20110			EXAMINER	
			ART UNIT	PAPER NUMBER
			1725	
			MAIL DATE	DELIVERY MODE
			02/04/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

LITMAN LAW OFFICES, LTD.
PATENT LAW BUILDING
8955 CENTER STREET
MANASSAS VA 20110

2/4/2011

In re Application of	:	
Ahmet Z. Sahin et al.	:	DECISION ON PETITION
Application No. 12/897,633	:	TO MAKE SPECIAL UNDER
Filed: October 04, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 31500.85	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed January 24, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,648	10/04/2010	Lawrence H. Zuckerman	P06915C1	2312
7590 Munck Carter/NSC P.O. Drawer 800889 Dallas, TX 75380			EXAMINER PHAN, HUY Q	
			ART UNIT 2858	PAPER NUMBER
			NOTIFICATION DATE 04/19/2011	DELIVERY MODE ELECTRONIC

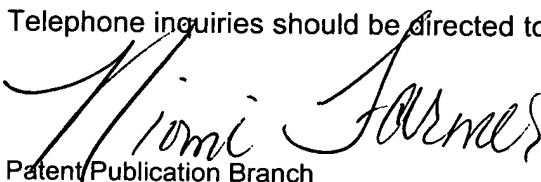
DECISION GRANTING PETITION UNDER 37 CFR 1.138(d) *The declaration of express abandonment is recognized*

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.


Patent Publication Branch
Office of Data Management



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

**BORDEN LADNER GERVAIS LLP
Anne Kinsman
WORLD EXCHANGE PLAZA
100 QUEEN STREET SUITE 1100
OTTAWA ON K1P 1J9 CA CANADA**

**MAILED
JUN 07 2011
OFFICE OF PETITIONS**

In re Application of :
John Wayne SHORT et al. : ON PETITION
Application No. 12/897,716 :
Filed: October 4, 2010 :
Atty. Docket No.: PAT 69461-2 :

This is in response to the petition under 37 CFR 1.47(b), filed March 21, 2011.

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor Lara Pawlicz has refused to join in the filing of the above-identified application.

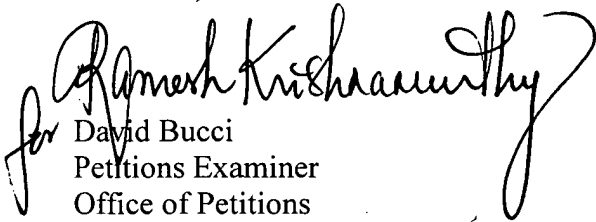
The application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to the Office of Patent Application Processing for pre-examination processing

In the copy of the email from the attorney for the non-signing inventor, the application is referenced as 6946-2US. This is taken to be the Attorney Docket Number PAT 69461-2 associated with the instant application. Petitioner must notify the Office if this is not correct.

Telephone inquiries relating to this decision should be directed to Robert DeWitty (571-272-8427).

for
David Bucci
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Ms. Lara Pawlicsz
717 Dunbar Road
Kitchener, Ontario
Canada N2M 2X7

MAILED
JUN 07 2011
OFFICE OF PETITIONS

In re Application of
John Wayne Short, Rebecca Yvonne Short, Brian Robert Scott, Lara Pawlicsz
Application No. 12/897,716
Filed: October 4, 2010
For: SYSTEM AND METHOD FOR TRAINING

Dear Ms. Pawlicsz:

You are named as the inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Robert DeWitty at 001-(571) 272-8427. Requests for information regarding your application should be directed to the File Information Unit at 001-(703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at 001-(571) 272-3150.

for Ramesh Krishnamurthy
David Bucci
Petitions Examiner
Office of Petitions

cc: **BORDEN LADNER GERVAIS LLP**
Anne Kinsman
WORLD EXCHANGE PLAZA
100 QUEEN STREET SUITE 1100
OTTAWA ON K1P 1J9 CA CANADA



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI 100 TW TAIWAN

MAILED

DEC 14 2010

OFFICE OF PETITIONS

In re Application of :
Fann, et al. : DECISION GRANTING STATUS
Application No. 12/897,765 : UNDER 37 CFR 1.47(a)
Filed: October 4, 2010 :
Attorney Docket No. 32336-US-PA :

This is in response to the petition under 37 CFR 1.47(a), filed October 4, 2010.

The petition is GRANTED.

Petitioner has shown that the non-signing inventor has refused to execute the declaration after having been presented with the complete application papers for the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

Alesia M. Brown
Petitions Attorney
Office of Petitions



] UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Sen-Shyong Fann
24F., No. 79, Sec. 2, Jhongheng E. Rd.
Danshuei Township, Taipei County 251
Taiwan (ROC)

MAILED

DEC 14 2010

OFFICE OF PETITIONS

In re Application of
Fann, et al.
Application No. 12/897,765
Filed: October 10, 2010
Attorney Docket No. 32336-US-PA

Dear Sir:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3205. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

/ALESIA M. BROWN/

Alesia M. Brown
Petitions Attorney
Office of Petitions

cc: JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI 100 TW TAIWAN



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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IM IP LAW PLLC
P.O. BOX 333
HARTSDALE, NY 10530

MAILED

JAN 03 2011

OFFICE OF PETITIONS

In re Application of	:	
Flusser et al.	:	
Application No. 12/897,774	:	ON PETITION
Filed: October 4, 2010	:	
Attorney Docket No. BESPEAK201.1	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 18, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

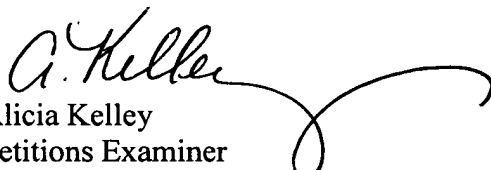
The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement (PTO/SB/130 form) by the applicant's attorney that the applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-6059. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 3625 for action on the merits commensurate with this decision.


Alicia Kelley
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,814	10/05/2010	Masamoto FUKUDA	4639-121 (Y086-US)	2614
22429 7590 06/27/2011 LOWE HAUPTMAN HAM & BERNER, LLP 1700 DIAGONAL ROAD SUITE 300 ALEXANDRIA, VA 22314			EXAMINER	
			ART UNIT	PAPER NUMBER
			2834	
			MAIL DATE	DELIVERY MODE
			06/27/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
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**LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA VA 22314**

**In re Application of
Fukuda et al.
Application No.: 12/897,814
Filed: 5 October 2010
Attorney Docket No.: 4639-121 (Y086-US)
For: SQUIRREL-CAGE ROTOR AND
MANUFACTURING METHOD OF
SQUIRREL-CAGE ROTOR**

**: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 14 June 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is
 - a. a Paris Convention application which either
 - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - i. validly claims priority to an application filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim, or
 - c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - i. validly claims priority to an application filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or


- iii. contains no priority claim;
- 2. Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the JPO application(s);
 - b. An English translation of the allowable/patentable claim(s) and
 - c. A statement that the English translation is accurate;
- 3. Applicant must:
 - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
 - b. Submit a claims correspondence table in English;
- 4. Examination of the U.S. application has not begun;
- 5. Applicant must submit:
 - a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
 - b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
 - c. A statement that the English translation is accurate;
- 6. Applicant must submit:
 - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.


Lee W. Young
TQAS, Technology Center 2800 – Semiconductors
Electrical & Optical Systems & Components

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	12/897,829	Filing date:	05-OCT-2010
First Named Inventor:	William Dunn		
Title of the Invention:	NVIS COMPATIBLE BACKLIGHT DEVICE AND LCD USING THE SAME		
THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBS/EFBS_HELP.HTML			

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US10/051394

The international filing date of the corresponding PCT application(s) is/are: 05-OCT-2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**



Is attached.



Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**



Is attached.



Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	12/897,829
First Named Inventor:	William Dunn

- ☒

Is attached

1

Has already been filed in the above-identified U.S. application on

- ☒

Are attached.

11

Have already been filed in the above-identified U.S. application on

[illegible]

Signature /Tyler S. Dunham, Reg. No. 60,364/

Date 2 August 2011

Name
(Print/Typed) **Tyler S. Dunham**

Registration Number 60,364

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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Alexandria, VA 22313-1450
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**CHOATE, HALL & STEWART
CITRIX SYSTEMS, INC.
TWO INTERNATIONAL PLACE
BOSTON MA 02110**

MAILED

NOV 22 2010

OFFICE OF PETITIONS

In re Application of :
MIR, Abraham et al. :
Application No. 12/897,863 :
Filed: October 05, 2010 :
Attorney Docket No. 2006579-2069 CTX-606US :

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed November 10, 2010.

The request is **NOT APPROVED**.

The Office will no longer accept address changes to a new practitioner or law firm filed with a Request, absent the filing of a power of attorney to the new representative. The Office will either change the correspondence address of record to the most current address information provided for the assignee of the entire interest who properly became of record under 37 CFR 3.71 or, if no assignee of the entire interest has properly been made of record under 37 CFR 3.71, the most current address information provided for the first named inventor.

Accordingly, the request to withdraw from record cannot be approved because the request to change the correspondence address is not that of: (1) the first named inventor; or (2) an assignee of the entire interest under 37 C.F.R 3.71 who has properly intervened.

If an assignee has intervened in this application, then a Statement under 37 CFR 3.73(b) or a copy of the actual assignment must be submitted with a renewed request.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at 571-272-2783.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

cc: **FOLEY & LARDNER LLP**
111 HUNTINGTON AVENUE
26TH FLOOR
BOSTON, MA 02199-7610

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

Paper No.: _____

DATE : February 9, 2012

TO SPE OF : ART UNIT 2837 SPE Walter Benson.

SUBJECT : Request for Certificate of Correction for Appl. No.: 12/897,880 Patent No.: 8,035,330 B2

Please respond to this request for a certificate of correction within 7 days.

FOR IFW FILES:

Please review the requested changes/corrections as shown in the **COCIN** document(s) in the IFW application image. No new matter should be introduced, nor should the scope or meaning of the claims be changed.

Please complete the response (see below) and forward the completed response to scanning using document code **COCX**.

FOR PAPER FILES:

Please review the requested changes/corrections as shown in the attached certificate of correction. Please complete this form (see below) and forward it with the file to:

**Certificates of Correction Branch (CofC)
Randolph Square Building
2800 South Randolph Street
Arlington, VA 22206**

Should the change to insert the terminal disclaimer statement in the (*) Notice on the title page of patent be approved as requested by applicant?

See COCIN dated 1-26-2012

Antonio Johnson

Certificates of Correction Branch

(571)272-0483 Fax – (571)270-9846

Thank You For Your Assistance

The request for issuing the above-identified correction(s) is hereby:

Note your decision on the appropriate box.

XApproved

All changes apply.

☐ **Approved in Part**

Specify below which changes do not apply.

☐ **Denied**

State the reasons for denial below.

Comments: _____

SPE_WBenson _____

Art Unit 2837

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

Paper No.: _____

DATE : February 9, 2012

TO SPE OF : ART UNIT 2837 SPE Walter Benson.

SUBJECT : Request for Certificate of Correction for Appl. No.: 12/897,880 Patent No.: 8,035,330 B2

Please respond to this request for a certificate of correction within 7 days.

FOR IFW FILES:

Please review the requested changes/corrections as shown in the **COCIN** document(s) in the IFW application image. No new matter should be introduced, nor should the scope or meaning of the claims be changed.

Please complete the response (see below) and forward the completed response to scanning using document code **COCX**.

FOR PAPER FILES:

Please review the requested changes/corrections as shown in the attached certificate of correction. Please complete this form (see below) and forward it with the file to:

**Certificates of Correction Branch (CofC)
Randolph Square Building
2800 South Randolph Street
Arlington, VA 22206**

Should the change to insert the terminal disclaimer statement in the (*) Notice on the title page of patent be approved as requested by applicant?

See COCIN dated 1-26-2012

Antonio Johnson

Certificates of Correction Branch

(571)272-0483 Fax – (571)270-9846

Thank You For Your Assistance

The request for issuing the above-identified correction(s) is hereby:

Note your decision on the appropriate box.

XApproved

All changes apply.

☐ **Approved in Part**

Specify below which changes do not apply.

☐ **Denied**

State the reasons for denial below.

Comments: _____

Walter Benson
/ Walter Benson /

SPE _____ **Art Unit** 2837



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,955	10/05/2010	Miho KATAYAMA	26740	2899
23389 7590 07/08/2011 SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530				
			EXAMINER	
			ART UNIT	PAPER NUMBER
			3739	
			MAIL DATE	DELIVERY MODE
			07/08/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY NY 11530

In re Application of:
KATAYAMA, MIHO
Serial No.: 12/897955
Filed: October 5, 2010
Attorney Docket No. : 26740

Title: CAPSULE MEDICAL APPARATUS

:
: DECISION ON A REQUEST TO
: PARTICIPATE IN PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 13, 2011 to make the above-identified application special.

The request and petition are **granted**.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more corresponding application(s) filed in the JPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
- (6) Applicant must submit IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,963	10/05/2010	Han Min JUNG	P10334US	2911
86144	7590	07/08/2011	EXAMINER	
LRK Patent Law Firm			ABEL JALIL, NEVEEN	
1952 Gallows Rd			ART UNIT	
Suite 200			PAPER NUMBER	
Vienna, VA 22182			2165	
			MAIL DATE	DELIVERY MODE
			07/08/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

LRK Patent Law Firm
1952 Gallows Rd
Suite 200
Vienna VA 22182

In re Application of: JUNG et al.
Application No. 12/897,963
Attorney Docket #: **P10334US6**
Filed: October 5, 2010
For: **RESOURCE DESCRIPTION
FRAMEWORK NETWORK
CONSTRUCTION DEVICE AND
METHOD USING AN ONTOLOGY**

**SCHEMA HAVING CLASS
DICTIONARY AND MINING RULE.**

DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 10, 2011 to make the above-identified application special.

The petition is **DISMISSED.**

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application is
 - (a) a Paris Convention application which either
 - (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims,
 - Or
 - (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - (i) validly claims priority to an application filed in the KIPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims, or
 - (iii) contains no priority claim,
 - Or

- (c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - (i) validly claims priority to an application filed in the KIPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims, or
 - (iii) contains no priority claim.

Where the KIPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the KIPO application that contains the allowable/patentable claims and the KIPO priority application claimed in the U.S. application.

(2) Applicant must submit a copy of:

- a. The allowable/patentable claim(s) from the KIPO application(s);
- b. An English translation of the allowable/patentable claim(s) and
- c. A statement that the English translation is accurate;

(3) Applicant must:

- a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s) and
- b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

Applicant must submit a copy of all the Office actions (which are relevant to patentability, e.g., "Notice of Rejection," however, excluding a "Decision to Grant a Patent") from each of the KR application(s) containing the allowable/patentable claims that are the basis for the request, along with an English translation thereof and a statement that the English translation is accurate (if the Office actions are not in the English language). It will not be necessary for applicant to submit a copy of the "Decision to Grant a Patent," an English translation of the "Decision to Grant a Patent" and a statement that the translation is accurate.

(5) Applicant must submit:

- a. Documentation of ALL office action:
 - i. a copy of ALL office action(s) just prior to the "Decision to Grant a Patent" from each of the KIPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the KIPO application is a first action allowance then no office action from the KIPO is necessary should be indicated on the request/petition form;
- b. An English language translation of the KIPO Office action from (5)(a)(i)-(ii) above
- c. A statement that the English translation is accurate;

(6) Applicant must submit:

- a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already submitted in this application)

- b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition fails to meet item 3 of the requirements listed above.

Specifically, Item 3 states that Applicant must: ensure all the claims in the U.S. application sufficiently correspond or are amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s). However, the claims in the US application seem to be of a different scope than the counterpart claims in the Japanese application. For instance, Claim 1 of JP application recites "wherein the class of the class managing module is set to a key value and the property of the mining rule managing module is set to a key value" as the last limitation of claim 1. This limitation is missing from the corresponding claim 1 of the US application.

The above are just illustrations of the claim language making a difference in scope of the respective claims. Applicants must review all the claims in the instant US application, and make sure they are amended to correspond in scope with the corresponding allowed claims in the Japanese application.

The Petition is **DISMISSED**.

Applicant is given a time period of ONE MONTH or THIRTY DAYS, whichever is longer, to correct the deficiencies. NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.

If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be submitted by EFS-Web using the document description "Petition to make special under Pat Pros Hwy".

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,963	10/05/2010	Han Min JUNG	P10334US	2911
86144	7590	09/23/2011		
LRK Patent Law Firm 1952 Gallows Rd Suite 200 Vienna, VA 22182			EXAMINER ABEL JALIL, NEVEEN	
			ART UNIT 2165	PAPER NUMBER
			MAIL DATE 09/23/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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LRK Patent Law Firm
1952 Gallows Rd
Suite 200
Vienna VA 22182

In re Application of: JUNG et al.
Application No. 12/897,963
Attorney Docket #: **P10334US6**
Filed: October 5, 2010
For: **RESOURCE DESCRIPTION
FRAMEWORK NETWORK
CONSTRUCTION DEVICE AND
METHOD USING AN ONTOLOGY**

**SCHEMA HAVING CLASS
DICTIONARY AND MINING RULE.**

DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(a)

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed August 5, 2011 to make the above-identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application is
 - (a) a Paris Convention application which either
 - (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims,
 - Or
 - (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - (i) validly claims priority to an application filed in the KIPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims, or
 - (iii) contains no priority claim,
 - Or

- (c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - (i) validly claims priority to an application filed in the KIPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims, or
 - (iii) contains no priority claim.

Where the KIPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the KIPO application that contains the allowable/patentable claims and the KIPO priority application claimed in the U.S. application.

(2) Applicant must submit a copy of:

- a. The allowable/patentable claim(s) from the KIPO application(s);
- b. An English translation of the allowable/patentable claim(s) and
- c. A statement that the English translation is accurate;

(3) Applicant must:

- a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s) and
- b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

Applicant must submit a copy of all the Office actions (which are relevant to patentability, e.g., "Notice of Rejection," however, excluding a "Decision to Grant a Patent") from each of the KR application(s) containing the allowable/patentable claims that are the basis for the request, along with an English translation thereof and a statement that the English translation is accurate (if the Office actions are not in the English language). It will not be necessary for applicant to submit a copy of the "Decision to Grant a Patent," an English translation of the "Decision to Grant a Patent" and a statement that the translation is accurate.

(5) Applicant must submit:

- a. Documentation of ALL office action:
 - i. a copy of ALL office action(s) just prior to the "Decision to Grant a Patent" from each of the KIPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the KIPO application is a first action allowance then no office action from the KIPO is necessary should be indicated on the request/petition form;
- b. An English language translation of the KIPO Office action from (5)(a)(i)-(ii) above
- c. A statement that the English translation is accurate;

(6) Applicant must submit:

- a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already submitted in this application)
- b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The petition is **GRANTED.**

The request to participate in the PPH pilot program and petition are found to comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

The application is undergoing pre-examination processing. Once it is released for examination, the application will be forwarded to the examiner for action on the merits commensurate with this decision.

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,996	10/05/2010	George Gitschel	18482.3.1	2986
22913	7590	11/09/2011		
Workman Nydegger 1000 Eagle Gate Tower 60 East South Temple Salt Lake City, UT 84111			EXAMINER ROSS, DANA	
			ART UNIT 3725	PAPER NUMBER
			MAIL DATE 11/09/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City UT 84111

In re Application of	:	
GITSCHHEL, GEORGE	:	DECISION ON PETITION
Application No. 12/897,996	:	TO MAKE SPECIAL UNDER
Filed: Sep. 1, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 198754/GGH001C2	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Nov. 4, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived. The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to energy conservation or greenhouse gas reduction. This is not convincing. For example, it is not clear how the claimed method of fractionating over a fractionating of comminuted mixed solids will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. There is no connection between the green statements and the claimed features.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. The application will be forwarded to the Technology Center Art Unit 3725 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 18482.3.1

Application Number
(if known): 12/897996

Filing date: October 5, 2011

First Named
Inventor: George Gitschel

Title: MECHANIZED SEPARATION AND RECOVERY SYSTEM FOR SOLID WASTE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Andrew S Hansen/

Date February 13, 2012

Name
(Print/Typed) Andrew S Hansen

Registration Number 56370

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.



*Total of 2 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/897,996	10/05/2010	George Gitschel	18482.3.1	2986
22913	7590	02/22/2012		
Workman Nydegger 1000 Eagle Gate Tower 60 East South Temple Salt Lake City, UT 84111			EXAMINER ROSS, DANA	
			ART UNIT 3725	PAPER NUMBER
			MAIL DATE 02/22/2012	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City UT 84111

2/22/12

In re Application of	:	
George Gitschel	:	DECISION ON PETITION
Application No. 12/897,996	:	TO MAKE SPECIAL UNDER
Filed: October 05, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 18482.3.1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed February 13, 2012, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010), 75 Federal Register Notice 69049 (November 10, 2010) and 76 Federal Register Notice 77979 (December 15, 2011).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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LEO STANGER
24 BEECHWOOD ROAD
SUMMIT NJ 07901

MAILED

JUL 05 2011

OFFICE OF PETITIONS

In re Application of
Pertin, et al.
Application No. 12/898,027
Filed: 5 October, 2010
Attorney Docket No. 83671UC

DECISION

This is a decision on the petition filed on 19 May, 2011, for revival of an application abandoned due to unintentional delay pursuant to 37 C.F.R. §1.137(b).

The petition pursuant to 37 C.F.R. §1.137(b) is **GRANTED**.

As to the Allegations
of Unintentional Delay

The requirements of a grantable petition pursuant to 37 C.F.R. §1.137(b) are the petition and fee therefor, a reply, a proper statement and/or showing of unintentional delay under the regulation, and, where applicable, a terminal disclaimer and fee

Petitioners' attentions always are directed to the guidance in the Commentary at MPEP §711.03(c)(II).

BACKGROUND

Following deposit of the application papers on 5 October, 2010, Petitioner failed to reply timely and properly to the Notice to File Missing Parts (oath/declaration, fees, surcharge) mailed on 20 October, 2010, with reply due absent extension of time on or before 20 December, 2010.

After deposit of the application, Petitioner submitted an executed oath/declaration on 6 October, 2010, and the Office thereafter also mailed on 20 October, 2010, a Notice of Incomplete Reply (fees, surcharge), maintaining the reply due date of 20 December, 2010.

The application went abandoned by operation of law after midnight 20 December, 2010,

It does not appear that the Office mailed the Notice of Abandonment before a petition was filed.

Application No. 12/898,027

On 19 May, 2011, Petitioner filed, *inter alia*, a petition with fee, averring unintentional delay pursuant to 37 C.F.R. §1.137(b), with reply in the form of fees and surcharge, and made the statement of unintentional delay.

Petitioners' attentions always are directed to the guidance in the Commentary at MPEP §711.03(c) as to the showing regarding unintentional delay and a petition pursuant to 37 C.F.R. §1.137(b).

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice and all others who make representations before the Office **must** inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation—since all owe to the Office the continuing duty to disclose.¹

STATUTES, REGULATIONS AND ANALYSIS

Congress has authorized the Commissioner to "revive an application if the delay is shown to the satisfaction of the Commissioner to have been "unavoidable." 35 U.S.C. §133 (1994).² The regulations at 37 C.F.R. §1.137(a) and (b) set forth the requirements for a Petitioner to revive a previously unavoidably or unintentionally, respectively, abandoned application under this congressional grant of authority.

Unintentional delays are those that do not satisfy the very strict statutory and regulatory requirements of unavoidable delay, and, by definition, are not intentional.³))

¹ See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See *Changes to Patent Practice and Procedure*, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office).

² 35 U.S.C. §133 provides:

35 U.S.C. §133 Time for prosecuting application.

Upon failure of the applicant to prosecute the application within six months after any action therein, of which notice has been given or mailed to the applicant, or within such shorter time, not less than thirty days, as fixed by the Commissioner in such action, the application shall be regarded as abandoned by the parties thereto, unless it be shown to the satisfaction of the Commissioner that such delay was unavoidable.

³ Therefore, by example, an unintentional delay in the reply might occur if the reply and transmittal form are to be prepared for shipment by the US Postal Service, but other pressing matters distract one's attention and the mail is not timely deposited for shipment.

Application No. 12/898,027

As to Allegations of
Unintentional Delay

The requirements of a grantable petition pursuant to 37 C.F.R. §1.137(b) are the petition and fee therefor, a reply, a proper statement of unintentional delay under the regulation, and, where applicable, a terminal disclaimer and fee.

It appears that the requirements under the rule have been satisfied.

CONCLUSION

Accordingly, the petition pursuant to 37 C.F.R. §1.137(b) is **granted**.

The instant application is released to the Office of Patent Application Processing (OPAP) for further processing in due course.

Petitioner may find it beneficial to view Private PAIR within a fortnight of the instant decision to ensure that the revival has been acknowledged by the OPAP in response to this decision. It is noted that all inquiries with regard to status need be directed to the OPAP where that change of status must be effected—that does not occur in the Office of Petitions.

Telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2⁴) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).



/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

⁴ The regulations at 37 C.F.R. §1.2 provide:
§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.



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BIB DATA SHEET

CONFIRMATION NO. 3069

SERIAL NUMBER 12/898,037	FILING or 371(c) DATE 10/05/2010 RULE	CLASS 438	GROUP ART UNIT 2829	ATTORNEY DOCKET NO. T5057-Y336	
APPLICANTS Chun Hsiung TSAI, Xinpu Township, TAIWAN; Chii-Ming WU, Taipei City, TAIWAN; Da-Wen LIN, Hsinchu City, TAIWAN; ** CONTINUING DATA ***** ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 10/18/2010					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input type="checkbox"/> No Verified and /MICHELLE Acknowledged MANDALA/ Examiner's Signature	<input type="checkbox"/> Met after Allowance Initials	STATE OR COUNTRY TAIWAN	SHEETS DRAWINGS 7	TOTAL CLAIMS 20	INDEPENDENT CLAIMS 2
ADDRESS Lowe Hauptman Ham & Berner, LLP (TSMC) 1700 Diagonal Road, Suite 300 Alexandria, VA 22314 UNITED STATES					
TITLE ASYMMETRIC RAPID THERMAL ANNEALING TO REDUCE PATTERN EFFECT					
FILING FEE RECEIVED 1090	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		



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PATENT DEPARTMENT
TAYLOR, PORTER, BROOKS & PHILLIPS, L.L.P
P.O. BOX 2471
BATON ROUGE LA 70821-2471

MAILED
OCT 18 2011
OFFICE OF PETITIONS

In re Application of :
Michael M. KHONSARI : ON PETITION
Application No. 12/898,100 :
Filed: October 5, 2010 :
Atty. Docket No.: Khonsari 1003

This is a decision on the petition under 37 CFR 1.137(b), filed October 10, 2011, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Notice to File Corrected Application Papers mailed October 22, 2010 (Notice), which set a period for reply of two (2) months. No extension of time under the provisions of 37 CFR 1.136(a) was obtained. The application became abandoned December 23, 2010. A Notice of Abandonment was mailed September 29, 2011.

The petition satisfies the conditions for revival pursuant to 37 CFR 1.137(b) by including (1) a reply in the form of a Response to the Notice mailed October 22, 2010, (2) a petition fee of \$930, and (3) a statement of unintentional delay. The reply to the outstanding Office action is accepted as being unintentionally delayed.


37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. In the event that

such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that the delay in paying the maintenance fee under 37 CFR 1.378(c) was intentional, petitioner must notify the Office.

Telephone inquiries relating to this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427).

The application will be referred to Office of Patent Application Processing for consideration of the filed Response.


for Anthony Knight
Director
Office of Petitions



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,152	10/05/2010	MARC ZABEAU	3238-1-003	3321
23565	7590	12/06/2010	EXAMINER	
KLAUBER & JACKSON 411 HACKENSACK AVENUE HACKENSACK, NJ 07601			ART UNIT	PAPER NUMBER
			1637	
			MAIL DATE	DELIVERY MODE
			12/06/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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DEC 06 2010

KLAUBER & JACKSON
411 HACKENSACK AVENUE
HACKENSACK, NJ 07601

In re Application of:
Zabeah et al.

Serial No.: 12/898,152

Filed: October 5, 2010

Docket No.: 3238-1-003

DECISION ON PETITION TO
MAKE SPECIAL FOR NEW
APPLICATION UNDER 37
C.F.R. § 1.102 & M.P.E.P. §
708.02

Title: **SELECTIVE RESTRICTION
FRAGMENT AMPLIFICATION:
FINGERPRINTING**

This is a decision on the petition filed on October 5, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the

examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

7. Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

8. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

9. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

10. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

11. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Marianne C. Seidel, Quality Assurance Specialist, at (571) 272-0584.

/MC Seidel/

Marianne C. Seidel, Quality Assurance Specialist
Technology Center 1600

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 81204794 (FMC 3045 PUS)

Application Number
(if known): 12/898,156

Filing date: October 5, 2010

First Named
Inventor: Deborah Frances Mielewski

Title: Compostable Interior Panel For Use In A Vehicle And Method of Manufacture

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement to Make Special

Signature /G. Daniel Templeton/

Date March 9, 2011

Name
(Print/Typed) G. Daniel Templeton

Registration Number 47130

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.



*Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,156	10/05/2010	Deborah Frances Miclewski	81204794	3325
28395 7590 03/28/2011 BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			EXAMINER CHEN, VIVIAN	
			ART UNIT 1787	PAPER NUMBER
			MAIL DATE 03/28/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

3/28/2011

In re Application of	:	
Mielewski et al.	:	DECISION ON PETITION
Application No. 12/898,156	:	TO MAKE SPECIAL UNDER
Filed: 10/5/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 81204794	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 3/9/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1787 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,231	10/05/2010	Shinya Teranishi	MNL-2635-918	3465
EXAMINER				
EOM, ROBERT J				
ART UNIT		PAPER NUMBER		
1772				
NOTIFICATION DATE		DELIVERY MODE		
12/21/2011		ELECTRONIC		

7590 12/21/2011
NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,242	10/05/2010	Han Min JUNG	P10335US	3485
86144	7590	07/08/2011		
LRK Patent Law Firm 1952 Gallows Rd Suite 200 Vienna, VA 22182			EXAMINER ABEL JALIL, NEVEEN	
			ART UNIT	PAPER NUMBER
			2165	
			MAIL DATE	DELIVERY MODE
			07/08/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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LRK Patent Law Firm
1952 Gallows Rd
Suite 200
Vienna VA 22182

In re Application of: JUNG et al.
Application No. 12/898,242
Attorney Docket #: **P10335US**
Filed: October 5, 2010
For: **RELATED SEARCH SYSTEM AND
METHOD BASED ON RESOURCE
DESCRIPTION FRAMEWORK NETWORK**

DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 10, 2011, to make the above- identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application is
 - (a) a Paris Convention application which either
 - (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims,
 - Or
 - (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - (i) validly claims priority to an application filed in the KIPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims, or
 - (iii) contains no priority claim,
 - Or
 - (c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - (i) validly claims priority to an application filed in the KIPO, or

- (ii) validly claims priority to a PCT application that contains no priority claims, or
- (iii) contains no priority claim.

Where the KIPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the KIPO application that contains the allowable/patentable claims and the KIPO priority application claimed in the U.S. application.

(2) Applicant must submit a copy of:

- a. The allowable/patentable claim(s) from the KIPO application(s);
- b. An English translation of the allowable/patentable claim(s) and
- c. A statement that the English translation is accurate;

(3) Applicant must:

- a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s) and
- b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

Applicant must submit a copy of all the Office actions (which are relevant to patentability, e.g., "Notice of Rejection," however, excluding a "Decision to Grant a Patent") from each of the KR application(s) containing the allowable/patentable claims that are the basis for the request, along with an English translation thereof and a statement that the English translation is accurate (if the Office actions are not in the English language). It will not be necessary for applicant to submit a copy of the "Decision to Grant a Patent," an English translation of the "Decision to Grant a Patent" and a statement that the translation is accurate.

(5) Applicant must submit:

- a. Documentation of ALL office action:
 - i. a copy of ALL office action(s) just prior to the "Decision to Grant a Patent" from each of the KIPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the KIPO application is a first action allowance then no office action from the KIPO is necessary should be indicated on the request/petition form;
- b. An English language translation of the KIPO Office action from (5)(a)(i)-(ii) above
- c. A statement that the English translation is accurate;

(6) Applicant must submit:

- a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already submitted in this application)
- b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The petition is **GRANTED**.

Application SN 12/898242
Decision on Petition

The request to participate in the PPH pilot program and petition are found to comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

The application is undergoing pre-examination processing. Once it is released for examination, the application will be forwarded to the examiner for action on the merits commensurate with this decision.

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,259	10/05/2010	Fazal Raheman		3536

89238	7590	12/20/2010	EXAMINER	
Fazal Raheman Suite 217, Twin Towers P. Box 4404 Dubai, 4404 UNITED ARAB EMIRATES			ART UNIT	PAPER NUMBER
			3734	

NOTIFICATION DATE	DELIVERY MODE
12/20/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dr.fazal@mrilimited.com
drfazalmd@yahoo.com



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Fazal Raheman
Suite 217, Twin Towers
P. Box 4404
Dubai 4404 AE UNITED ARAB EMIRATES

In re Application of: Fazal Raheman	:	
Application No.: 12/898259	:	
Filed: October 5, 2010	:	
Title: METHODS AND APPARATUS FOR OPTIMAL	:	DECISION ON PETITION TO
REMOTE ISCHEMIC PRECONDITIONING (ORIP) FOR:	:	MAKE SPECIAL FOR NEW
PREVENTING ISCHEMIA-REPERFUSION INJURIES	:	APPLICATION UNDER 37
TO ORGANS	:	C.F.R. § 1.102 & M.P.E.P. §
		708.02

This is a decision on the petition filed on October 5, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview.
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
 - 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;
 - 5.3. encompass the disclosed features that may be claimed.
6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
- 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
- 6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
- 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
- 6.5. a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists;
- 6.6. an identification of any cited references that may be disqualified under 35 U.S.C. 103(c).

REVIEW OF FACTS

The conditions I:1-4, II: 1-5, 5.3, 6, 6.1, 6.2, 6.3, 6.4, and 6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, 5.2, and 6.5 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Discussion

When referring to "the petition" hereinbelow, the received papers under consideration include the PTO/SB/28 form, the "pre-examination search document" including pages 1-6; the "accelerated examination support document" comprising pages 1-70, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in:
class 600 subclasses 486, 488, 491, 493, 496, 497, 498, and 499
class 606 subclass 203

Regarding the requirements of section II element 6.5 outlined above, the requirements of this section are not met. A grantable petition requires petitioner to provide a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists. In the instant petition, 35 U.S.C. 112, first paragraph support for provisional application 61/317,294 has not been provided.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal

of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/
Linda J. Sholl
Special Programs Examiner
Technology Center 3700



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,259	10/05/2010	Fazal Raheman		3536
89238	7590	04/06/2011		
Fazal Raheman Suite 217, Twin Towers P. Box 4404 Dubai, 4404 UNITED ARAB EMIRATES				
			EXAMINER	
			ART UNIT	PAPER NUMBER
			3734	
			NOTIFICATION DATE	DELIVERY MODE
			04/06/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dr.fazal@mrilimited.com
drfazalmd@yahoo.com



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Fazal Raheman
Suite 217, Twin Towers
P. Box 4404
Dubai 4404 AE UNITED ARAB EMIRATES

In re Application of: Fazal Raheman	:	
Application No.: 12/898259	:	
Filed: October 5, 2010	:	DECISION ON PETITION TO
Title: METHODS AND APPARATUS FOR OPTIMAL	:	MAKE SPECIAL FOR NEW
REMOTE ISCHEMIC PRECONDITIONING (ORIP) FOR	:	APPLICATION UNDER 37
PREVENTING ISCHEMIA-REPERFUSION INJURIES	:	C.F.R. § 1.102 & M.P.E.P. §
TO ORGANS	:	708.02

This is a decision on the request for reconsideration filed on January 18, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DENIED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the conditions as outlined in the prior petition decision. The conditions are not repeated herein.

REVIEW OF FACTS

As stated in the decision of December 20, 2010 conditions I: 1-4, II: 1-5, 5.1 5.3, 6, 6.1, 6.2, 6.3, 6.4 and 6.6 were considered to have been met. However, the petition failed to comply with conditions II: 5.1, 5.2, and 6.5. Upon reconsideration, the petition still fails to meet the requirements of at least condition(s) II: 5.1, 5.2 and 6.5. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

DISCUSSION

In the dismissal of the petition dated December 20, 2010, the Examiner noted that: 1) an additional search was required and 2) 35 U.S.C. 112, first paragraph support was not provided for provisional application 61/317,294. With regard to the showing of 35 U.S.C. 112 first

paragraph support, petitioner did not properly delete the claim for priority as no amendment was submitted to the first line of the specification. Note, since the claim for priority was not properly deleted, it still exists. In addition, the lack of clarity with regard to the showing of support of the provisional application, i.e. no proper deletion of the priority claim, prevents the search from being clear as to what date was used to evaluate the references found in the search. For example, how was intervening art considered? Was the evaluation of the references with respect to the priority date or the filing date of the application?

DECISION

For at least the above-stated reason, the petition is **DENIED**. The application will remain in its regular status and will be taken up by the examiner for action in its regular turn.

Petitioner is reminded that a single opportunity to perfect the petition is given. Therefore, further petitions for accelerated examination in this application will not be entertained.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Program Examiner, at (571) 272-4391.

/Linda Sholl/
Linda J. Sholl
Special Program Examiner
Technology Center 3700



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PATTERSON & SHERIDAN, L.L.P.
3040 POST OAK BOULEVARD
SUITE 1500
HOUSTON TX 77056

MAILED

JAN 31 2012

OFFICE OF PETITIONS

In re Application of:
Makoto Yamashita
Application No. 12/898,263
Filed: October 5, 2010
Attorney Docket No. TOSH/0171US

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed November 17, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is
 - a. a Paris Convention application which either
 - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - i. validly claims priority to an application filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim, or
 - c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - i. validly claims priority to an application filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim;

2. Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the JPO application(s);
 - b. An English translation of the allowable/patentable claim(s) and
 - c. A statement that the English translation is accurate; (if the claims were published in a language other than English);
3. Applicant must:
 - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
 - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
 - a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s);
 - b. An English language translation of the JPO office action; and
 - c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
 - d. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - e. Copies of the documents cited in the JPO office action, except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Joan Olszewski at 571-272-7751.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/dab/
David Bucci
Petitions Examiner
Office of Petitions



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,348	10/05/2010	Yoshinori Kohmoto	8073P1041	3695
8791 7590 11/10/2011 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER KALAFUT, STEPHEN J	
			ART UNIT 1727	PAPER NUMBER
			MAIL DATE 11/10/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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NOV 10 2011

In re application of	:	DECISION ON REQUEST TO
Yoshinori Kohmoto et al.	:	PARTICIPATE IN PATENT
Serial No. 12/898,348	:	PROSECUTION HIGHWAY
Filed: October 05, 2010	:	PROGRAM AND
Attorney Docket No: 8073P1041	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed August 18, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

(2) Applicant must submit a copy of:

- a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
- b. An English translation of the allowable/ patentable claim(s), if applicable; and
- c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:

- a. Ensure all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
- b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:

- a. Documentation of prior office action:

Application No. 12/898,348

- i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
- Further, if a copy of the documents from (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy; and
- b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and
- (6) Applicant must submit:
- a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,369	10/05/2010	John W. HOURIET JR.	10001-32U1	3733

570	7590	12/02/2010
PANITCH SCHWARZE BELISARIO & NADEL LLP		
ONE COMMERCE SQUARE		
2005 MARKET STREET, SUITE 2200		
PHILADELPHIA, PA 19103		

EXAMINER	
SOMERS, MARC S	

ART UNIT	PAPER NUMBER
2159	

NOTIFICATION DATE	DELIVERY MODE
12/02/2010	ELECTRONIC

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usptomail@panitchlaw.com



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Clark A. Jablon
PANITCH SCHWARZE BELISARIO & NADEL LLP
One Commerce Square
2005 Market Street, Suite 2200
Philadelphia, PA 19103-7013

In re Application of:	:	
John W. HOURIET et al.	:	
Serial No.: 12/898,369	:	
Filed: October 5, 2010	:	DECISION ON PETITION TO
Title: VIRTUAL DATA ROOM WITH ACCESS	:	MAKE SPECIAL FOR NEW
TO CLINICAL TRIAL STATUS	:	APPLICATION UNDER 37
REPORTS BASED ON REAL-TIME	:	C.F.R. § 1.102 & M.P.E.P. §
CLINICAL TRIAL DATA	:	708.02

This is a decision on the petition filed on October 5 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-3613.

/Vincent N. Trans/

Vincent N. Trans, SPRE/QAS
Technology Center 2100
Computer Architecture and Software



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,411	10/05/2010	Han Min JUNG	P10336US	3797
86144	7590	07/08/2011		
LRK Patent Law Firm 1952 Gallows Rd Suite 200 Vienna, VA 22182			EXAMINER ABEL JALIL, NEVEEN	
			ART UNIT 2165	PAPER NUMBER
			MAIL DATE 07/08/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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LRK Patent Law Firm
1952 Gallows Rd
Suite 200
Vienna VA 22182

In re Application of: JUNG et al.
Application No. 12/898,411
Attorney Docket #: **P10336US**
Filed: October 5, 2010
For: **QUESTION-ANSWER SERVICE SYSTEM
AND METHOD BASED ON RDF SEARCH**

DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 10, 2011, to make the above- identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application is
 - (a) a Paris Convention application which either
 - (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims,
 - Or
 - (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - (i) validly claims priority to an application filed in the KIPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims, or
 - (iii) contains no priority claim,
 - Or
 - (c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - (i) validly claims priority to an application filed in the KIPO, or

- (ii) validly claims priority to a PCT application that contains no priority claims, or
- (iii) contains no priority claim.

Where the KIPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the KIPO application that contains the allowable/patentable claims and the KIPO priority application claimed in the U.S. application.

- (2) Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the KIPO application(s);
 - b. An English translation of the allowable/patentable claim(s) and
 - c. A statement that the English translation is accurate;
- (3) Applicant must:
 - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s) and
 - b. Submit a claims correspondence table in English;
- (4) Examination of the U.S. application has not begun;
Applicant must submit a copy of all the Office actions (which are relevant to patentability, e.g., "Notice of Rejection," however, excluding a "Decision to Grant a Patent") from each of the KR application(s) containing the allowable/patentable claims that are the basis for the request, along with an English translation thereof and a statement that the English translation is accurate (if the Office actions are not in the English language). It will not be necessary for applicant to submit a copy of the "Decision to Grant a Patent," an English translation of the "Decision to Grant a Patent" and a statement that the translation is accurate.
- (5) Applicant must submit:
 - a. Documentation of ALL office action:
 - i. a copy of ALL office action(s) just prior to the "Decision to Grant a Patent" from each of the KIPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the KIPO application is a first action allowance then no office action from the KIPO is necessary should be indicated on the request/petition form;
 - b. An English language translation of the KIPO Office action from (5)(a)(i)-(ii) above
 - c. A statement that the English translation is accurate;
- (6) Applicant must submit:
 - a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The petition is **GRANTED**.

Application SN 12/898,411
Decision on Petition

The request to participate in the PPH pilot program and petition are found to comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

The application is undergoing pre-examination processing. Once it is released for examination, the application will be forwarded to the examiner for action on the merits commensurate with this decision.

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,514	10/05/2010	Kohei MOMOSAKI	SUTOSH.694AUS	3972

20995	7590	05/27/2011
KNOBBE MARTENS OLSON & BEAR LLP		
2040 MAIN STREET		
FOURTEENTH FLOOR		
IRVINE, CA 92614		

EXAMINER	
MEHTA, BHAVESH M	

ART UNIT	PAPER NUMBER
2624	

NOTIFICATION DATE	DELIVERY MODE
05/27/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
efiling@kmob.com
eOAPilot@kmob.com



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KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

In re Application of	:	
MOMOSAKI, KOHEI	:	DECISION ON REQUEST TO
Application No. 12/898,514	:	PARTICIPATE IN PATENT
Filed: October 5, 2010	:	PROSECUTION HIGHWAY
Attorney Docket No. SUTOSH.694AUS	:	PROGRAM AND PETITION
	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 5, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
- (6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kenneth Wieder at 571-272-2986.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Kenneth A. Wieder/

Kenneth Wieder
Quality Assurance Specialist
Technology Center 2600
Communications



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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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In re Application of
Totada R Shantha

Application No. 12898524

Filed:

Attorney Docket No. 0901108-019

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 05-OCT-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.



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CONNOLLY BOVE LODGE & HUTZ LLP
P.O. BOX 2207
WILMINGTON, DE 19899

MAILED

JUN 22 2011

OFFICE OF PETITIONS

In re Application of :
Peter A. Sgromo and :
James C. Parr : DECISION REFUSING STATUS
Application No.: 12/898,539 : UNDER 37 CFR 1.47(a)
Filed: May 5, 2010 :
Attorney Docket No.: 70298-00010 :

This is a decision on the petition filed, May 19, 2011, under the provisions of 37 CFR 1.47(a).

The petition is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor.

FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.
Extensions of time may be obtained in accordance with 37 CFR 1.136(a).

The above-identified application was filed on May 5, 2010, without an executed oath or declaration. Accordingly, on October 19, 2010, a Notice to File Missing Parts of Nonprovisional Application was mailed requiring an executed oath or declaration and a surcharge for its late filing. A two (2) month period for reply was set. In response, on May 19, 2011, applicant filed, *inter alia*, an appropriate petition for extension of time, a partially executed declaration, The requisite surcharge and the present petition under 37 CFR 1.47(a).

A grantable petition under 37 CFR 1.47(a) requires:

- (1) proof that the non-signing inventor cannot be reached or located, notwithstanding diligent effort, or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings);
- (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;
- (3) the \$200 petition fee;
- (4) a surcharge of \$130 or \$65 (small entity) if the petition and/or declaration is not filed at the time of filing the application, and
- (5) a statement of the last known address of the non-signing inventor.

The petition lacks items (1) and (2).

In regard to item (1) - Before a refusal to sign an oath or declaration can be alleged, it must be demonstrated that a *bona fide* effort has been made to present a complete copy of the application papers (specification, including claims, drawings, and oath or declaration) to Mr. Peter A. Sgromo, the non-signing inventor, at his last known address, typically a residential address.

Petitioner indicates that entire patent application was provided to Mr. Sgromo by e-mails on October 2, 2009 and October 11, 2010. Further, petitioner indicates that a copy of the declaration was e-mailed to Mr. Sgromo's attorney, George Chakmakis, on April 19, 2011 for Mr. Sgromo's signature. It is noted that Mr. George Chakmakis has provided an affidavit stating that he received the Declaration under 37 CFR 1.63 and presented the declaration to Mr. Sgromo for execution, but that Mr. Sgromo refused to sign.

It is noted; however, that the record fails to show that a complete copy of the application papers (specification, including claims, drawings, and oath or declaration) was presented to Mr. Sgromo or ever sent to the non-signing inventor at his last known address. If an inventor is not presented with a copy of the application papers for this application, then he could not attest that he has "reviewed and understands the application papers" and could not execute the declaration he was requested to sign.

While the transmission of documents via e-mail is common practice, it can be problematic. Transmission and receipt of documents-whether in image, word-processing, spreadsheet or other form-can be effected by differences in software generation between the sender and recipient(s), and other interferences include but are not limited to sender's and recipient's Internet service provider's (ISP) and/or office/personal security firewall systems.

Therefore, at the very least, petitioner should mail complete application papers (specification, claims, drawings, oath, etc.) to the last known address of joint inventor, return receipt and/or forwarding address requested. If a forwarding address is provided, petitioner should then mail a complete copy of the application papers (specification, claims, drawings, oath, etc.) to that address, return receipt requested, along with a cover letter of instructions which includes a deadline or a statement that no response will constitute a refusal. This sort of ultimatum lends support to a finding of refusal by conduct.

Where there is an express or oral refusal, that fact, along with the time and place of the refusal, must be stated in an affidavit or declaration by the party to whom the refusal was made. Where there is a written refusal, a copy of the document(s) evidencing that refusal must be made part of the affidavit or declaration.

If repeated attempts to contact the non-signing inventor are unsuccessful, petitioners will have demonstrated that the inventors cannot be reached, despite diligent efforts, or have refused to sign the declaration.

In regard to item (2) - Pursuant to 35 U.S.C. 115 and 37 CFR § 1.63(a) and § 1.63(c)(1) an acceptable oath or declaration filed under § 1.51(b)(2) as a part of a nonprovisional application must identify all the inventors by name, citizenship and, unless such information is supplied on an application data sheet (ADS) in accordance with § 1.76, must also identify the mailing address, and the residence of each inventor, if an inventor lives at a location which is different from where the inventor customarily receives mail. It is noted that the declaration filed May 19, 2011 does not include an address for joint inventor Peter A. Sgromo and the ADS submitted on filing does not include an

address where joint inventor Peter A. Sgromo would typically receive his mail. Consequently, the declaration filed May 19, 2011 does not comply with 35 U.S.C. 115 and 37 CFR § 1.63(a) and § 1.63(c) (1).

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

By Internet: EFS-Web¹

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

¹ www.uspto.gov/ebs/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)



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FEB 09 2012

OFFICE OF PETITIONS

CONNOLLY BOVE LODGE & HUTZ LLP
P.O. BOX 2207
WILMINGTON, DE 19899

In re Application of
Peter A. Sgromo, et al.
Application No. 12/898,539
Filed: October 5, 2010
Attorney Docket No.: 70298-00010

:
:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
:

This is a decision in response to the renewed petition under 37 CFR 1.47(a) filed January 23, 2012.

The petition is **GRANTED**.

Petitioner has shown that non-signing inventor, Peter A. Sgromo, has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being forwarded to Technology Center 2872 for appropriate action, including notifying applicant of the new status of this application.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3204.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions



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MR. PETER A. SGROMO
323 RICHMOND STREET, EAST, SUITE 907
TORONTO, ON M5A-3R3, CANADA

MAILED

FEB 09 2012

OFFICE OF PETITIONS

In re Application of
Peter A. Sgromo, et al.
Application No. 12/898,539
Filed: October 5, 2010
For: HOLOGRAPHIC BUBBLE GENERATING
SYSTEM

LETTER

Dear Mr. Sgromo:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3204. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

cc: CONNOLLY BOVE LODGE & HUTZ LLP
P.O. BOX 2207
WILMINGTON DE 19899

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office, U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 728.0002	Application Number (if known):	Filing date: October 5, 2010
----------------------------------	--------------------------------	------------------------------

First Named Inventor: E. Anthony COPP

Title: Environmentally-Friendly Kelp-Based Energy Saving Lubricants, Biofuels, and Other Industrial Products

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /William E. Bradley/	Date October 5, 2010
--------------------------------	----------------------

Name (Print/Typed) William E. Bradley	Registration Number 42623
---------------------------------------	---------------------------

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

☒ *Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,552	10/05/2010	Emmanuel Anthony Copp	728.0002	4037
25534	7590	03/30/2011	EXAMINER	
CAHN & SAMUELS LLP 1100 17th STREET NW SUITE 401 WASHINGTON, DC 20036			ART UNIT	PAPER NUMBER
			1651	
			MAIL DATE	DELIVERY MODE
			03/30/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAR 30 2011

CAHN & SAMUELS LLP
1100 17th STREET NW
SUITE 401
WASHINGTON DC 20036

In re Application of	:	
COPP. Emmanuel <i>et al.</i>	:	DECISION ON PETITION
Application No. 12/898552	:	TO MAKE SPECIAL UNDER
Filed: October 5, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 728.0002	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 5, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1651 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,637	10/05/2010	Derek BALL	089877-0389037	4179
27500 7590 12/01/2010 PILLSBURY WINTHROP SHAW PITTMAN LLP ATTENTION: DOCKETING DEPARTMENT P.O BOX 10500 McLean, VA 22102			EXAMINER BURKE, JEFF A	
			ART UNIT	PAPER NUMBER
			2159	
			MAIL DATE	DELIVERY MODE
			12/01/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Anthony G. Smyth
PILLSBURY WINTHROP SHAW PTTMAN LLP
Attn: Docketing Department
P.O. Box 10500
McLean, VA 22102

In re Application of:	:	
Derek BALL et al.	:	
Serial No.: 12/898,637	:	
Filed: October 5, 2010	:	
Title: NETWORK RESOURCE INTERACTION :	:	DECISION ON PETITION TO
DETECTION SYSTEMS AND METHODS :	:	MAKE SPECIAL FOR NEW
	:	APPLICATION UNDER 37
	:	C.F.R. § 1.102 & M.P.E.P. §
	:	708.02

This is a decision on the petition filed on October 5 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.
3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-3613.

/Vincent N. Trans/
Vincent N. Trans, SPRE/QAS
Technology Center 2100
Computer Architecture and Software

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To: Mueller, Heather THE MUELLER LAW OFFICE 12951 Harwick Lane San Diego CA 92130 ETATS-UNIS D'AMERIQUE The Mueller Law Office PC Received on: JAN 04 2011
--

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference D2SiP024WO	Date of mailing (day/month/year) 29 December 2010 (29-12-2010)
International application No. PCT/US2010/051534	International filing date (day/month/year) 5 October 2010 (05-10-2010)
Applicant D2S, INC.	
FOR FURTHER ACTION See paragraphs 1 and 4 below	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70

For more detailed instructions, see PCT Applicant's Guide, International Phase, paragraphs 9.004 - 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040
Fax: (+31-70) 340-3016

Authorized officer

PORRACHIA, Isabelle
Tel: +31 (0)70 340-4447

PATENT COOPERATION TREATY
PCT

The Mueller Law Office PC
Received on:

JAN 04 2011

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference D2SiP024WO	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2010/051534	International filing date (day/month/year) 05/10/2010	(Earliest) Priority Date (day/month/year) 21/10/2009
Applicant D2S, INC.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (See Box No. II)

3. ☐ **Unity of invention is lacking** (see Box No. III)

4. With regard to the **title**,

- ☐ the text is approved as submitted by the applicant
☒ the text has been established by this Authority to read as follows:

METHOD AND SYSTEM FOR FORMING A PATTERN ON A SURFACE USING CHARGED PARTICLE BEAM LITHOGRAPHY

5. With regard to the **abstract**,

- ☐ the text is approved as submitted by the applicant
☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,

- a. the figure of the **drawings** to be published with the abstract is Figure No. 8c
☒ as suggested by the applicant
☐ as selected by this Authority, because the applicant failed to suggest a figure
☐ as selected by this Authority, because this figure better characterizes the invention
b. ☐ none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US2010/051534

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

In the field of semiconductor production using shaped charged particle beam lithography, a pattern is formed on a surface (130) by dragging a charged particle beam (140) across the surface in a single extended shot to form a track. In some embodiments, the track may form a straight path, a curved path, or a perimeter of a curvilinear shape (850, 852, 854, 856, 858, 860, 862). In other embodiments, the width of the track may be altered by varying the velocity of the dragged beam (140). The techniques may be used for manufacturing an integrated circuit by dragging a charged particle beam across a resist-coated wafer to transfer a pattern to the wafer, or by dragging a charged particle beam across a reticle, where the reticle is used to manufacture a photomask which is then used to transfer a pattern to a wafer using an optical lithographic process.

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2010/051534

A. CLASSIFICATION OF SUBJECT MATTER

INV. G03F7/20 G03F1/14 H01J37/317
ADD.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
G03F H01J

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, IBM-TDB, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 173 582 A (SAKAMOTO KIICHI [JP] ET AL) 22 December 1992 (1992-12-22) * abstract; figures 4,5,6,7,12 column 6, line 5 - column 8, line 59 column 12, line 64 - column 13, line 25 column 15, lines 29-33	1,3-7, 18-20
X	US 6 037 601 A (OKUNUKI MASAHIKO [JP]) 14 March 2000 (2000-03-14) column 4, line 54 - column 6, line 17 column 7, line 10 - column 8, line 9 column 10, lines 21-58 * abstract; figures 1,2,3,8-10,14 ----- -/--	1,2,9, 11,12, 18,20, 24,25



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

I later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

8 document member of the same patent family

Date of the actual completion of the international search

22 December 2010

Date of mailing of the international search report

29/12/2010

Name and mailing address of the ISA/

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel (+31-70) 340-2040,
Fax: (+31-70) 340-3016

Authorized officer

Remy, Jérôme

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2010/051534

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 03/036386 A2 (INFINEON TECHNOLOGIES AG [DE]) 1 May 2003 (2003-05-01)	1,2,7-9, 12,18, 19,25 20,24
A	* abstract; figures 4-7 page 8, lines 30-31 page 9, line 12 - page 13, line 23 page 2, line 27 - page 4, line 15 -----	
A	US 7 176 470 B1 (EVANS MORGAN D [US] ET AL) 13 February 2007 (2007-02-13) * abstract; figures 5,6,9 column 5, line 8 - column 7, line 9 -----	1,16-18, 20,22,23

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/US2010/051534

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 5173582	A	22-12-1992	NONE
US 6037601	A	14-03-2000	JP 10294255 A 04-11-1998
WO 03036386	A2	01-05-2003	CN 1575437 A 02-02-2005 DE 60216794 T2 04-10-2007 EP 1438633 A2 21-07-2004 TW 222100 B 11-10-2004 US 2003082461 A1 01-05-2003
US 7176470	B1	13-02-2007	NONE

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

The Mueller Law Office PC
Received on:

JAN 04 2011

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/US2010/051534

International filing date (day/month/year)
05.10.2010

Priority date (day/month/year)
21.10.2009

International Patent Classification (IPC) or both national classification and IPC
INV. G03F7/20 G03F1/14 H01J37/317

Applicant
D2S, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040
Fax: +31 70 340 - 3016

Date of completion of
this opinion

see form
PCT/ISA/210

Authorized Officer

Remy, Jérôme

Telephone No. +31 70 340-9542



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2010/051534

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:
 - a. (means)
 - ☐ on paper
 - ☐ in electronic form
 - b. (time)
 - ☐ in the international application as filed
 - ☐ together with the international application in electronic form
 - ☐ subsequently to this Authority for the purposes of search
4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

Box No. II Priority

1. ☒ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43bis.1 and 64.1) is the claimed priority date.
2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2010/051534

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	<u>4-6, 10, 12-17, 21-23, 25</u>
	No: Claims	<u>1-3, 7-9, 11, 18-20, 24</u>
Inventive step (IS)	Yes: Claims	<u>10, 13-17, 21-23</u>
	No: Claims	<u>1-9, 11, 12, 18-20, 24, 25</u>
Industrial applicability (IA)	Yes: Claims	<u>1-25</u>
	No: Claims	

2. Citations and explanations

see separate sheet

1 Reference is made to the following documents:

- D1 US 5 173 582 A (SAKAMOTO KIICHI [JP] ET AL) 22 December 1992 (1992-12-22)
- D2 US 6 037 601 A (OKUNUKI MASAHIKO [JP]) 14 March 2000 (2000-03-14)
- D3 WO 03/036386 A2 (INFINEON TECHNOLOGIES AG [DE]) 1 May 2003 (2003-05-01)
- D4 US 7 176 470 B1 (EVANS MORGAN D [US] ET AL) 13 February 2007 (2007-02-13)

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

2 Claim 20

2.1 **Claim 20** reads as follows (feature labelling added):

- (a) A system for forming a pattern on a surface comprising:
 - (b) an input device
 - (b1) capable of receiving charged particle beam shot information;
 - (c) a charged particle beam source
 - (c1) capable of emitting a charged particle beam for a time period, to create a shot;
 - (d) one or more apertures
 - (d1) capable of shaping the charged particle beam;
 - (e) one or more lenses
 - (e1) capable of focusing the charged particle beam on the surface; and

(f) a deflector

(f1) capable of dragging the charged particle beam between a first position on the surface and a second position on the surface during the shot, wherein the dragging follows a path specified in the shot information.

2.2 Document **D1** discloses (cf. figures 4,5,6,7,12; column 6, line 5 - column 8, line 59; column 12, line 64 - column 13, line 25; column 15, lines 29-33) a charged particle beam lithography system wherein an electron beam (B) is generated by an electron gun (10; cf. figure 4). Said electron beam is projected onto a substrate (26,26') after passing through a stencil mask (34), which comprises a plurality of apertures, lenses (20,22), objective lens (24) and deflectors (24a,24b). Hence, document D1 discloses, at least implicitly, the above-mentioned features (a,c,c1,d,d1,e,e1,f).

2.3 In D1, the electron beam (B) is adjusted and deflected by a pattern controller (50) and a sequential controller (56; cf. figure 4), i.e. the electron beam's size and shape is controlled according to the predetermined pattern (73) of mask (34) that ought to be printed on said substrate. Hence, document D1 discloses, at least implicitly, the above-mentioned feature (b,b1).

2.4 It is hereby considered that the aforementioned feature (f1) **does not impose any limitation** onto the subject-matter of claim 20, as the D1 deflectors (24a, 24b) do not require any structural modifications to be able to drag the electron beam (B) between two positions along a predetermined path on substrate (26,26').

2.5 Therefore, the subject-matter of claim 20 is not new in the sense of Article 33 (2) PCT, and the present application does not meet the requirements of Article 33(1) PCT.

3 Claims 1 and 19

3.1 The objection against claim 20 applies *mutatis mutandis* to the corresponding method for forming a pattern defined in **claim 1**.

- 3.2 In addition to what is reported in section 2 of the present communication, D1 also discloses that the substrate (26) patterned with the charged particle beam lithography system may be a reticle (cf. column 15, lines 29-33). It is considered that the use of such a patterned reticle in an optical lithography apparatus is **implicitly** disclosed in document D1.

Therefore, the subject-matter of **claim 19** is also not new in the sense of Article 33(2) PCT, and the present application does not meet the requirements of Article 33(1) PCT.

- 4 Dependent claims 3-7 and 18

- 4.1 **Claims 3-7** and **18** do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT with respect to novelty (Article 33(2) PCT) and/or inventive step (Article 33(3) PCT), the reasons being as follows.

- 4.2 The following additional features are disclosed, at least implicitly, in document D1:

- the character projection (CP) characters, according to **claim 3** (cf. column 6, lines 28-30 and column 6, line 67 to column 7, line 2);
- the straight predetermined path, according to **claim 7** (cf. figure 5 in the light of column 6, lines 42-51);
- the wafer surface, according to **claim 18** (cf. column 15, lines 29-33).

- 4.3 The specifics of the stencil mask (34) in D1 (e.g. geometry of the CP characters, duty cycle), according to **claims 4-6**, are optimum parameters discovered by the skilled person, in accordance with circumstances, without the exercise of inventive skill, in order to efficiently form the desired predetermined patterns onto the wafer (26; see figure 5 and column 6, lines 42-47).

5 Other relevant prior art

It is pointed out that:

- document **D2** (cf. column 4, line 54 - column 6, line 17; column 7, line 10 - column 8, line 9; column 10, lines 21-58; figures 1,2,3,8-10,14) discloses, at least implicitly, the subject-matter of claims 1 and 20, as well as the additional features of **claims 2,9,11,24**; the sequence of connected line segments, according to **claims 12** and **25**, is merely considered as an alternative to the mathematical expression of claims 11 and 24, and is hence not considered inventive;
- document **D3** (cf. figures 4-7; page 8, lines 30-31; page 9, line 12 - page 13, line 23; page 2, line 27 - page 4, line 15) discloses, at least implicitly, the subject-matter of claims 1 and 19, as well as the additional features of **claim 8**.

6 Claims 10,13-17 and 21-23

None of the available prior art documents discloses the additional features of **claims 10,13-17** and **21-23**, or anything within an obvious modification of said claims.

Possible steps after receipt of the international search report (ISR) and written opinion of the International Searching Authority (WO-ISA)

General information	For all international applications filed on or after 01/01/2004 the competent ISA will establish an ISR. It is accompanied by the WO-ISA. Unlike the former written opinion of the IPEA (Rule 66.2 PCT), the WO-ISA is not meant to be responded to, but to be taken into consideration for further procedural steps. This document explains about the possibilities.
Amending claims under Art. 19 PCT	Within 2 months after the date of mailing of the ISR and the WO-ISA the applicant may file amended claims under Art. 19 PCT directly with the International Bureau of WIPO. The PCT reform of 2004 did not change this procedure. For further information please see Rule 46 PCT as well as form PCT/ISA/220 and the corresponding Notes to form PCT/ISA/220.
Filing a demand for international preliminary examination	<p>In principle, the WO-ISA will be considered as the written opinion of the IPEA. This should, in many cases, make it unnecessary to file a demand for international preliminary examination. If the applicant nevertheless wishes to file a demand this must be done before expiry of 3 months after the date of mailing of the ISR/ WO-ISA or 22 months after priority date, whichever expires later (Rule 54bis PCT). Amendments under Art. 34 PCT can be filed with the IPEA as before, normally at the same time as filing the demand (Rule 66.1 (b) PCT).</p> <p>If a demand for international preliminary examination is filed and no comments/amendments have been received the WO-ISA will be transformed by the IPEA into an IPRP (International Preliminary Report on Patentability) which would merely reflect the content of the WO-ISA. The demand can still be withdrawn (Art. 37 PCT).</p>
Filing informal comments	After receipt of the ISR/WO-ISA the applicant may file informal comments on the WO-ISA directly with the International Bureau of WIPO. These will be communicated to the designated Offices together with the IPRP (International Preliminary Report on Patentability) at 30 months from the priority date. Please also refer to the next box.
End of the international phase	At the end of the international phase the International Bureau of WIPO will transform the WO-ISA or, if a demand was filed, the written opinion of the IPEA into the IPRP, which will then be transmitted together with possible informal comments to the designated Offices. The IPRP replaces the former IPEA (international preliminary examination report).
Relevant PCT Rules and more information	Rule 43 PCT, Rule 43bis PCT, Rule 44 PCT, Rule 44bis PCT, PCT Newsletter 12/2003, OJ 11/2003, OJ 12/2003

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	12898646	Filing date:	2010-10-05
First Named Inventor:	Takashi Komagata		

Title of the
Invention: Method and System for Manufacturing a Surface Using Charged Particle Beam Lithography

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBS/DFS_HELP.HTML](http://www.uspto.gov/ebs/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT
application number(s) is/are: PCT/US10/51534

The international filing date of the corresponding
PCT application(s) is/are: 2010-10-05

I. List of Required Documents:

- a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)

☒

Is attached

☐

Is not attached because the document is already in the U.S. application.

- b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).

☒

Is attached.

☐

Is not attached because the document is already in the U.S. application.

- c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	12898646
First Named Inventor:	Takashi Komagata

- d. (1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on 2011-01-07

- (2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)**

Have already been filed in the above-identified U.S. application on 2011-01-07

II. Claims Correspondence Table:

[illegible]

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature <u>/Grace Y. Schulz/</u>	Date <u>2011-01-20</u>
Name (Print/Typed) <u>Grace Y. Schulz</u>	Registration Number <u>60774</u>

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENTABLE CLAIMS IN CORRESPONDING PCT APPLICATION NO.

PCT/US2010/051534

10. The method of claim 1 wherein the dragged shot comprises a beam blur radius, the method further comprising the step of forming other portions of the pattern using a different beam blur radius than the beam blur radius that is used for the dragged shot.
13. The method of claim 1 further comprising using additional dragged shots and/or conventional shots, as needed in combination, to form the complete pattern.
14. The method of claim 1 wherein the dragged shot comprises a longitudinal dosage profile, and wherein partial projection is used to increase the slope of the longitudinal dosage profile near the first and second end points.
15. The method of claim 1 further comprising dragging the particle beam from the second end point to the first end point in a second writing pass to form the pattern on the surface using a multi-pass exposure technique.
16. The method of claim 1 wherein the dragged shot comprises a dosage, and wherein the dosage of the dragged shot is expressed as a velocity of the dragged charged particle beam.
17. The method of claim 16 wherein the velocity is a linear velocity, and wherein the linear velocity of the dragged charged particle beam is varied during the shot.
21. The system of claim 20 wherein the charged particle beam source and the lenses have a minimum characteristic beam blur radius, and wherein the beam blur radius may be adjusted to be larger than the minimum characteristic value, based on the shot information.
22. The system of claim 20 wherein the deflector drags the charged particle beam at a velocity specified in the shot information.

23. The system of claim 22 wherein the velocity specified in the shot information varies between the first position on the surface and the second position on the surface.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,646	10/05/2010	Takashi Komagata	D2SiP024	4196
67362 7590 03/02/2011 THE MUELLER LAW OFFICE, P.C. 12707 High Bluff Drive, Suite 200 San Diego, CA 92130			EXAMINER KIM, ROBERT H	
			ART UNIT	PAPER NUMBER
			2881	
			NOTIFICATION DATE	DELIVERY MODE
			03/02/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

heather@themuellerlawoffice.com
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THE MUELLER LAW OFFICE, P.C.
12707 High Bluff Drive, Suite 200
San Diego CA 92130

In re Application of

KOMAGATA et al.

Application No.: 12/898,646

Filed: 05 October 2010

Attorney Docket No.: D2SiP024

**For: METHOD AND SYSTEM FOR
MANUFACTURING A SURFACE
USING CHARGED PARTICLE BEAM
LITHOGRAPHY**

**: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed 21 January 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

Conditions (1-3), and (5-7) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (4).

Regarding the requirement of condition (4), applicant has failed to ensure that all the claims in the U.S. application sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application. For example, pending claim 1 corresponds to PCT claim 1 but PCT claim 1 was not shown to have a positive opinion on the International Search Report and Written Opinion.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.



Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Komagata et al.

Confirmation No.: 4196

Serial No.: 12/898,646

Group Art Unit: 2881

Filed: October 5, 2010

Examiner: Robert H. Kim

For: METHOD AND SYSTEM FOR MANUFACTURING A SURFACE USING
CHARGED PARTICLE BEAM LITHOGRAPHY

Commissioner for Patents
POB 1450
Alexandria, VA 22313-1450

**PETITION TO MAKE SPECIAL UNDER PCT –
PATENT PROSECUTION HIGHWAY**

Dear Sir:

This communication is in response to the “Decision On Request To Participate In The Patent Prosecution Highway” mailed on 3/2/2011. Applicant has hereby submitted a preliminary amendment such that the claims in the U.S. application have been amended to correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application, per condition (4) of the Decision letter. Applicant respectfully requests that the Petition to Make Special Under PCT-Patent Prosecution Highway Program be granted.

Respectfully submitted,
The Mueller Law Office, P.C.
/Grace Y. Schulz/
Grace Y. Schulz
Reg. No. 60,774

The Mueller Law Office, P.C
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,646	10/05/2010	Takashi Komagata	D2SiP024	4196

67362	7590	04/27/2011
THE MUELLER LAW OFFICE, P.C. 12707 High Bluff Drive, Suite 200 San Diego, CA 92130		

EXAMINER	
KIM, ROBERT H	

ART UNIT	PAPER NUMBER
2881	

NOTIFICATION DATE	DELIVERY MODE
04/27/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

heather@themuellerlawoffice.com
contact@themuellerlawoffice.com
docket@themuellerlawoffice.com



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THE MUELLER LAW OFFICE, P.C.
12707 High Bluff Drive, Suite 200
San Diego CA 92130

In re Application of

KOMAGATA et al.

Application No.: 12/898,646

Filed: 05 October 2010

Attorney Docket No.: D2SiP024

**For: METHOD AND SYSTEM FOR
MANUFACTURING A SURFACE
USING CHARGED PARTICLE BEAM
LITHOGRAPHY**

**: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed 21 January 2011 and renewed on 23 March 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.


Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components



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McDonnell Boehnen Hulbert & Berghoff
LLP/Google Inc.
300 South Wacker Drive, Suite 3100
Chicago IL 60606

MAILED

AUG 12 2011

OFFICE OF PETITIONS

In re Application of :
KING et al. :
Application No. 12/898,653 : **DECISION DISMISSING PETITIONS**
Filed: October 5, 2010 : **UNDER 37 CFR 1.78(a)(3) AND (a)(6)**
Attorney Docket No.: 11-243-US-CON :

This is a decision on the petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6), filed June 2, 2011, to accept an unintentionally delayed claim under 35 U.S.C. §§ 120 and 119(e) for the benefit of priority to the prior-filed nonprovisional and provisional applications set forth in the concurrently filed Application Data Sheet.

The petition is **DISMISSED**

A petition for acceptance of a claim for late priority under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) is only applicable to those applications filed on or after November 29, 2000 and after the expiration of the period specified in 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii). In addition, the petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) must be accompanied by:

- (1) the reference required by 35 U.S.C. §§ 120 and 119(e) and 37 CFR §§ 1.78(a)(2)(i) and 1.78(a)(5)(i) of the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in § 1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii) and the date the claim was filed was unintentional. The Director may require additional where there is a question whether the delay was unintentional.

The petition does not comply with item (1).

Copendency does not exist between the present application serial no. 12/898,653 filed October 5, 2010 and application serial no. 11/004,637, filed December 4, 2004.

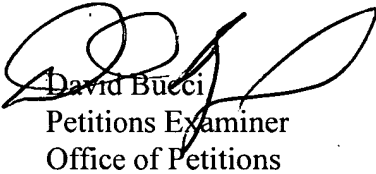
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Any questions concerning this matter may be directed to Jose' G Dees at (571) 272-1569.



David Bucci
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: CLA-P001

Application Number
(if known): 12/898,713

Filing date: 10/6/10

First Named
Inventor: Kirk M. Bailey

Title: Roofing Material with Directionally Dependent Properties

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Jeffrey T. Holman/

Date February 1, 2011

Name Jeffrey T. Holman
(Print/Typed)

Registration Number 51,812

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

☐ *Total of forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)**

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,713	10/06/2010	Kirk Matthew Bailey		4333
97439	7590	02/04/2011		
Kirk Matthew Bailey 830 E. 200 N. Brigham City, UT 84302				
EXAMINER				
CHEVALIER, ALICIA ANN				
ART UNIT		PAPER NUMBER		
1783				
MAIL DATE		DELIVERY MODE		
02/04/2011		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Kirk Matthew Bailey
830 E. 200 N.
Brigham City UT 84302

2/4/2011

In re Application of	:	
Kirk Matthew Bailey et al.	:	DECISION ON PETITION
Application No. 12/898,713	:	TO MAKE SPECIAL UNDER
Filed: October 06, 2010	:	THE GREEN TECHNOLOGY
	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed February 01, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,716		Michael M. Witzmann	2010058-US2	4341
69289	7590	10/12/2010		
COLOPLAST A/S Attention: Corporate Patents Holtedam 1 DK-3050 Humlebaek, DENMARK			EXAMINER	
			ART UNIT	PAPER NUMBER
			3735	
			NOTIFICATION DATE	DELIVERY MODE
			10/12/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@coloplast.com
dkbvd@coloplast.com



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COLOPLAST A/S
Attention: Corporate Patents
Holtedam 1
DK-3050 Humlebaek DK DENMARK

In re Application of	:	
WITZMANN, MICHAEL M.	:	DECISION ON REQUEST TO
Application No. 12/898,716	:	PARTICIPATE IN PATENT
Filed: Oct. 6, 2010	:	PROSECUTION HIGHWAY
Attorney Docket No. 2010058-US2	:	PILOT PROGRAM AND PETITION
For: INCONTINENCE TREATMENT	:	TO MAKE SPECIAL UNDER
SYSTEM	:	37 CFR 1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program under 37 CFR 1.102(d), filed Sep. 10, 2010, to make the above-identified application special.

The request and petition are DISMISSED.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the DKPTO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the DKPTO application(s);
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the DKPTO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the DKPTO application(s) containing the allowable/patentable claim(s); and
- (6) Applicant must submit an IDS listing the documents cited by the DKPTO examiner in the DKPTO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition do not comply with all of the above requirements. The request to participate in the PPH program and petition fail to include Item #1.

With regard to Item #1, the applicant failed to validly claim the foreign priority. A certified copy of the PA 2010 720549 must be provided.

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Currently, the application is undergoing pre-examination processing. Once it is released for examination, the application will be forwarded to the examiner for action in its regular turn.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

Petition is **dismissed**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,716	10/06/2010	Michael M. Witzmann	2010058-US2	4341
69289	7590	11/09/2010		
COLOPLAST A/S			EXAMINER	
Attention: Corporate Patents				
Holtedam 1			ART UNIT	
DK-3050 Humlebaek,			PAPER NUMBER	
DENMARK			3772	
			NOTIFICATION DATE	DELIVERY MODE
			11/09/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@coloplast.com
dkbvd@coloplast.com



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COLOPLAST A/S
Attention: Corporate Patents
Holtedam 1
DK-3050 Humlebaek DK DENMARK

In re Application of	:	
WITZMANN, MICHAEL M.	:	
Application No. 12/898,716	:	DECISION ON REQUEST TO
Filed: Oct. 6, 2010	:	PARTICIPATE IN PATENT
Attorney Docket No. 2010058-US2	:	PROSECUTION HIGHWAY
For: INCONTINENCE TREATMENT	:	PILOT PROGRAM AND PETITION
SYSTEM	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(d)

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) pilot program under 37 CFR 1.102(d), filed October 20, 2010, to make the above-identified application special.

The request and petition are *Granted.* ~~DISMISSED.~~ *NH*

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the DKPTO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the DKPTO application(s);
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the DKPTO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the DKPTO application(s) containing the allowable/patentable claim(s); and
- (6) Applicant must submit an IDS listing the documents cited by the DKPTO examiner in the DKPTO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition comply with the above requirements. Receipt of the IDS statement is acknowledged. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

All other inquiries concerning the examination or status of the application should be directed to Chuck Marmor, SPE of Art Unit 3735, 571-272-4730.

The application is undergoing pre-examination processing. Once it is released for examination, the application will be forwarded to the examiner for action on the merits commensurate with this decision. The applicant is reminded that the foreign priority claim must be perfected during the course of the examination.

Petition is granted.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **245043** Application Number (if known): **12/898,767** Filing date: **10/06/2010**

First Named Inventor: **Joseph Mark Brian**

Title: **HOT WATER HEATER SCHEDULER**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **11/28/11**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Joseph Mark Brian)
Confirmation No.: 4430)
Serial No.: 12/898,767)
Filing Date: 10/06/2010)
Atty Docket No.: 245043)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The present application relates to energy management, and more particularly to energy management of household consumer appliances, as well as other energy consuming devices and/or systems found in the home. The present disclosure finds particular application to a hot water heater. (See [0001]).

Basic hot water heaters generally include a water reservoir, a heating element such as a gas or electric burner, and a thermostat that controls the burner to maintain a set temperature of the water in the reservoir. In general, the temperature of the water is maintained at a relatively constant level corresponding to a set point of the thermostat, for example 140 degrees F, until it is needed. As hot water is dispensed from the reservoir, cold water is admitted thereby lowering the temperature of the water. Once the temperature drops

below the set point of the thermostat, the heating element is activated to raise the temperature of the water. (See [0002]).

As will be appreciated, in many installations a water heater is used only a fraction of the time. For example, hot water demand in a residential installation may be greatest in the morning and then virtually non-existent during the day. Demand may then increase again in the evening. Conventional water heaters, however, work to maintain the set point temperature regardless of hot water demand. This can result in wasted energy during times of decreased demand. (See [0003]).

A hot water heater that can be programmed to only heat water when the consumer anticipates that they will need it. The consumer can control the temperature of the water, the time at which the hot water will be needed, and can specify the speed vs. efficiency tradeoff regarding how the water is heated by selecting an operating mode, for example, thereby resulting in a more energy efficient and cost effective hot water heater. (See [0004]).

Accordingly, a hot water heater comprises a reservoir for storing water, a heat source for selectively applying heat to the water, and a controller for controlling the heat source to optimize energy consumption of the water heater based on demand for hot water. The controller is configured to perform at least one of the following functions: prevent the heat source from applying heat to the water during predetermined periods of time corresponding reduced demand; activate the heat source prior to predetermined periods of increased demand; select an operating mode; or adjust a setpoint temperature of the water to be

maintained by the application of heat by the heat source, including lowering the setpoint temperature when reduced demand is anticipated, and increasing the setpoint temperature when increased demand is anticipated. (See [0005]).

The controller can be programmed to perform at least one of the functions at a user specified time and/or programmable to perform at least one function in accordance with a user defined schedule. The user defined schedule can be at least one of a weekly schedule, a monthly schedule or an annual schedule. A user interface can be provided for programming the controller to control the heat source. The heat source can include at least one of an electric heating element, a gas heating element or a heat exchanger heating element. (See [0006]).

In accordance with another aspect, a device for controlling a heating element of a hot water heater comprises a controller for controlling the heat source to optimize energy consumption of the water heater based on demand for hot water. The controller is configured to perform at least one of the following functions: prevent the heat source from applying heat to the water during predetermined periods of time corresponding reduced demand; activate the heat source prior to predetermined periods of increased demand; select an operating mode; or adjust a setpoint temperature of the water to be maintained by the application of heat by the heat source, including lowering the setpoint temperature when reduced demand is anticipated, and increasing the setpoint temperature when increased demand is anticipated. (See [0007]).

The controller can be programmed to perform at least one of the functions at a user specified time and/or to perform at least one function in accordance

with a user defined schedule. The user defined schedule can be at least one of a weekly schedule, a monthly schedule or an annual schedule. A user interface for programming the controller to control the heat source can be provided. The heat source can include at least one of an electric heating element, a gas heating element, or a heat exchanger heating element. (See [0008]).

In accordance with another aspect, a method of optimizing operation of a hot water heater including a heating source comprises controlling the heat source to optimize energy consumption of the water heater based on demand for hot water. The controlling includes at least one of: preventing the heat source from applying heat to the water during predetermined periods of time corresponding reduced demand; activating the heat source prior to predetermined periods of increased demand; selecting an operating mode based on anticipated demand; or adjusting a setpoint temperature of the water to be maintained by the application of heat by the heat source, including lowering the setpoint temperature when reduced demand is anticipated, and increasing the setpoint temperature when increased demand is anticipated. (See [0009]).

The method can further comprise programming the controller to perform at least one of the functions at a user specified time and/or programming the controller to perform at least one function in accordance with a user defined schedule. The user defined schedule can include at least one of a weekly schedule, a monthly schedule or an annual schedule. The method can further comprise programming the controller via a user interface. The step of controlling

the heat source can include controlling a current applied to an electric heat source, and/or controlling a run-time of a heat pump. (See [0010]).

Applicant respectfully submits that Special Status is sought on the basis that the embodiments disclosed herein materially contribute to the more efficient utilization and conservation of energy resources. Said embodiments provide for a more energy efficient and cost effective hot water heating system. Amongst several benefits, said embodiments allow for greater informational awareness and operational control of said hot water heating system, which has been shown to encourage reductions in energy consumption resulting in greater energy efficiency on the part of consumers and utilities.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 28, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,767	10/06/2010	Joseph Mark Brian	245043 (GECZ 201122US01)	4430
27885	7590	12/13/2011	EXAMINER	
FAY SHARPE LLP 1228 Euclid Avenue, 5th Floor The Halle Building Cleveland, OH 44115			ART UNIT	PAPER NUMBER
			3749	
			MAIL DATE	DELIVERY MODE
			12/13/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

In re Application of	:	
BRIAN, JOSEPH MARK et al	:	DECISION ON PETITION
Application No. 12/898,767	:	TO MAKE SPECIAL UNDER
Filed: Oct. 6, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 245043 (GECZ201122US01)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Nov. 28, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii)

greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived. The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to energy conservation or greenhouse gas reduction. This is not convincing. For example, it is not clear how the claimed conventional time shifting or timer control of hot water heater will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. The claimed conventional timer or time shifting heater operation has nothing to do with enhancement the quality of the environment or contribution to development of renewable energy resources or energy conservation or greenhouse gas reduction. The water heater still uses the same amount of power to operate.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. The application will be forwarded to the Technology Center Art Unit 3784 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Joseph Mark BRIAN)
Confirmation No.: 4430)
Serial No.: 12/898,767)
Filing Date: 10-06-2010)
Atty Docket No.: 245043-1 (GECZ 201122US01))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 13 December 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the more efficient utilization and conservation of energy resources.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") states that it is not agreed that the application on its face meets the materiality standard. The Decision alleges that Applicant's statement that the claimed invention relates to energy conservation or greenhouse gas reduction is not convincing. The Decision states that it is not clear how the claimed conventional time shifting or timer control of a hot water heater will provide and enhance the quality of the environment or contribute to the development of renewable energy resources or energy conservation or greenhouse gas reduction. Further, the Decision states that the claimed

conventional timer or time shifting heater operation has nothing to do with enhancement of the quality of the environment or contribution to the development of renewable energy resources or energy conservation or greenhouse gas reduction. The Decision alleges that the water heater still uses the same amount of power to operate. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate to energy management, and more particularly to energy management of household consumer appliances, as well as other energy consuming devices and/or systems found in the home. The present disclosure finds particular application to a hot water heater. (see at least paragraph [0001]).

Smart technology generally relates to a class of technology that uses computer-based remote control and automation. These systems are made possible by two-way communication technology and computer processing and offer many benefits to utilities and consumers; mostly seen in big improvements in energy efficiency. Amongst several benefits, smart energy technologies allow for greater informational awareness and control of energy flow. This informational awareness allows consumers to interface with their energy consumption, providing new levels of detail on how, and how much, electricity is being consumed and at what cost in real time, and give them the tools to increase or decrease their consumption. It also allows utilities to more efficiently manage and adjust electricity transmission, reducing the likelihood of outages and congestion while improving billing accuracy for consumers. Smart energy generally provides

consumers and utilities a greater ability to adapt to changing market conditions for greater energy efficiency. ("Smart Grid", Office of Electricity Delivery & Energy Reliability. 2011. Web. 28 July 2011).

Basic hot water heaters generally include a water reservoir, a heating element such as a gas or electric burner, and a thermostat that controls the burner to maintain a set temperature of the water in the reservoir. In general, the temperature of the water is maintained at a relatively constant level corresponding to a set point of the thermostat, for example 140 degrees F, until it is needed. As hot water is dispensed from the reservoir, cold water is admitted thereby lowering the temperature of the water. Once the temperature drops below the set point of the thermostat, the heating element is activated to raise the temperature of the water. (see at least paragraph [0002]).

As will be appreciated, in many installations a water heater is used only a fraction of the time. For example, hot water demand in a residential installation may be greatest in the morning and then virtually non-existent during the day. Demand may then increase again in the evening. Conventional water heaters, however, work to maintain the set point temperature regardless of hot water demand. This can result in wasted energy during times of decreased demand. (see at least paragraph [0003]).

Embodiments of the present invention relate to a hot water heater that can be programmed to only heat water when the consumer anticipates that they will need it. The consumer can control the temperature of the water, the time at which the hot water will be needed, and can specify the speed vs. efficiency

tradeoff regarding how the water is heated by selecting an operating mode, for example, thereby resulting in a more energy efficient and cost effective hot water heater. (see at least paragraph [0004]).

Amongst several benefits, embodiments of the present invention encourage homeowners and utilities to use devices having the more energy efficient factor in order to reduce demand, save energy, and reduce energy costs. This has been shown to encourage reductions in energy consumption, and results in greater energy efficiency on the part of consumers and utilities. As such, the present invention promotes the more efficient utilization of and conservation of energy.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: January 11, 2012

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,767	10/06/2010	Joseph Mark Brian	245043 (GECZ 201122US01)	4430
27885	7590	01/30/2012	EXAMINER	
FAY SHARPE LLP 1228 Euclid Avenue, 5th Floor The Halle Building Cleveland, OH 44115			ART UNIT	PAPER NUMBER
			3749	
			MAIL DATE	DELIVERY MODE
			01/30/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

JAN 30 2012

In re Application of	:	
Brian et al.	:	DECISION ON PETITION
Application No. 12/898,767	:	TO MAKE SPECIAL UNDER
Filed: 10/6/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 245043 (GECZ	:	PILOT PROGRAM
201122US01)	:	

This is a decision on the request for reconsideration, filed 1/11/2012, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3749 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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P.O. Box 1450
ALEXANDRIA, VA 22313-1450
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SEYFARTH SHAW LLP
WORLD TRADE CENTER EAST
TWO SEAPORT LANE, SUITE 300
BOSTON MA 02210-2028

MAILED

FEB 28 2011

OFFICE OF PETITIONS

In re Application of :
Hagerman, et al. :
Application No. 12/898,800 :
Deposited: October 6, 2010 :
Attorney Docket No. 69049.3004 :
For: FINANCIAL MANAGEMENT :
SYSTEM AND RELATED METHODS :

ON PETITION

This is in response to the "**PRELIMINARY AMENDMENT**," filed October 27, 2010, requesting that the above-referenced application be accorded a filing date of October 6, 2010. This petition is being treated pursuant to 37 CFR 1.53(e)(2)¹.

The petition is **granted**.

Application papers in the above-identified application were deposited on October 6, 2010. However, on October 20, 2010, the Office of Patent Application Processing mailed applicants a "Notice of Incomplete Nonprovisional Application," notifying applicants that the application papers had not been accorded a filing date because the application was deposited without drawings. In response, applicants timely filed this petition. Applicants request that the application be amended to include the inadvertently omitted drawings on the basis that the application as filed contained a prior benefit claim under 37 CFR 1.55 or 1.78.

Petitioners' arguments and evidence have been considered. However, a review of the application confirms that, as filed, the application contained at least one method claim. MPEP 601.01(f) provides that:

It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

¹ Any request for review of a notification pursuant to paragraph (e)(1) of this section, or a notification that the original application papers lack a portion of the specification or drawing(s), must be by way of a petition pursuant to this paragraph accompanied by the fee set forth in § 1.17(f). In the absence of a timely (§ 1.181(f)) petition pursuant to this paragraph, the filing date of an application in which the applicant was notified of a filing error pursuant to paragraph (e)(1) of this section will be the date the filing error is corrected.

Thus, pursuant to § 601.01(f), a drawing is not considered essential for a filing date. The instant application is entitled to a filing date without drawings present in the application.

Accordingly, the Office should have granted the application a filing date and mailed a Notice of Omitted Items instead of a Notice of Incomplete Nonprovisional Application. As stated in MPEP 601.01(g) under the section entitled, "Application Entitled to a Filing Date," applicants may submit an amendment to include the inadvertently omitted portion of the drawing(s) pursuant to 37 CFR 1.57(a):

[i]f an application was filed on or after September 21, 2004, and contains a claim under 37 CFR 1.55 for priority of a prior-filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application that was present on the filing date of the application, and the omitted portion of the drawing(s) was inadvertently omitted from the application and is completely contained in the prior-filed application[.]

Please note that no petition is required and that the amendment must comply with 37 CFR 1.57(a) and 37 CFR 1.121. See MPEP § 201.17. Any amendment to include the inadvertently omitted drawing(s) will be considered by the examiner.

To the extent the instant petition requests a filing date of October 6, 2010 with no drawings present in the application, the petition is **GRANTED**.


Given the basis for granting this petition, no petition fee will be charged.

Pursuant to this decision, the application will be referred to Office of Patent Application Processing for:

- **correction of the filing date to October 6, 2010;**
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing and**
- **for issuance of a filing receipt.**

As stated above, if applicants wish to add the omitted drawings, applicants should file a formal amendment.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3230.


Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions



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P.O. Box 1450
Alexandria, VA 22313-1450
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LESAVICH HIGH-TECH LAW GROUP, P.C.
Suite 325
39 S. LaSalle Street
Chicago, IL 60603

MAILED

JUN 14 2011

OFFICE OF PETITIONS

In re Application of	:	
Leslie Rosenthal, et al.	:	
Application No. 12/898,833	:	DECISION ON PETITION
Filed: October 6, 2010	:	TO WITHDRAW
Attorney Docket No. 05,131-D	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed May 4, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by Stephen Lesavich, Ph.D on behalf of all attorneys of record. All attorneys/agents have been withdrawn. Applicant is reminded that there is no attorney of record at this time.

All future communications from the Office will be directed to the assignee of the entire interest at the first copied address below until otherwise properly notified by the applicant.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

cc: **Rosenthal Collins Group, LLC (Assignee)**
c/o Mr. Gerry Fishman Esq. (General Counsel)
216 W. Jackson, Suite 400
Chicago, IL 60606



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/898,833	10/06/2010	Leslie ROSENTHAL	05,131-D

CONFIRMATION NO. 4580

POWER OF ATTORNEY NOTICE



Date Mailed: 06/07/2011

Lesavich High-Tech Law Group, P.C.
Suite 325
39 S. LaSalle Street
Chicago, IL 60603

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/04/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/tsjohnson/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	12/898,878	Filing date:	10-06-2010
First Named Inventor:	Christopher L. Drenth		
Title of the Invention:	DRIVEN LATCH MECHANISM		
THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBS/EFBS_HELP.HTML			

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US10/51747

The international filing date of the corresponding PCT application(s) is/are: 10-07-2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**



Is attached.



Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**



Is attached.



Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

Application No.:	12/898,878
First Named Inventor:	Christopher L. Drenth

- ☐ Is attached
- ☒ Has already been filed in the above-identified U.S. application on 7-22-2011; 3-15-2011; & 10-6-2010

- Are attached. Not applicable
- Have already been filed in the above-identified U.S. application on _____

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-19, 21-28, 30	1-18, 19, 23, 27-28, 30	Claims 1-18 of the U.S. Application are the same claims as claims
		1-18 of the corresponding PCT Application
		which Box No. V of the Written Opinion indicates are allowable.
		Claim 19 of the U.S. Application corresponds to claim 20 of the corresponding
		PCT Application which Box No. V of the Written Opinion indicates as allowable.
		Claims 21-26 of the U.S. Application correspond to claims 21-26 of the
		corresponding PCT Application and depend from independent claim 19, which
		Box No. V of the Written Opinion indicates as allowable (i.e., claim 20 of the PCT).
		Claim 27 of the U.S. Application corresponds to claim 29 of the corresponding
		PCT Application, which Box No. V of the Written Opinion indicates as allowable.
		Claims 28 and 30 of the U.S. Application correspond to claims 28-30 of the
		corresponding PCT Application and depend from independent claim 27, which
		Box No. V of the Written Opinion indicates as allowable (i.e., claim 29 of the PCT).

Signature /Ryan E. Keller/	Date 09-26-2011
Name (Print/Typed) Ryan E. Keller	Registration Number 60516

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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WORKMAN NYDEGGER
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY UT 84111

MAILED
FEB 28 2012
OFFICE OF PETITIONS

In re Application of
Christopher L. DRENTH et al.
Application No.: 12/898,878
Filed: October 06, 2010
Attorney Docket No.: 17443.379.1
For: DRIVEN LATCH MECHANISM

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on September 27 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- 1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are Australia, Austria, China, EPO, Finland, JPO, Korea, Nordic Patent Institute, Russia, Spain, Sweden, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

- (5) Examination of the U.S. application has not begun;
- (6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.
- (7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.
- (8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-3) and (5-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (4).

Regarding the requirement of condition (4), the claims in the U.S. application do not sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

Applicant is given ONE opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at 571-272-4231.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.



Thurman K. Page
Petitions Examiner
Office of Petitions

Doc Code: PET.AUTO Document Description: Petition automatically granted by EFS-Web		PTO/SB/140 U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	PETITION TO WITHDRAW AN APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE UNDER 37 CFR 1.313(c)	
Application Number	12898927	
Filing Date	06-Oct-2010	
First Named Inventor	Michael Bettuchi	
Art Unit	3721	
Examiner Name	LINDSAY LOW	
Attorney Docket Number	H-US-00177 DIV 3 (203-420)	
Title	ANNULAR ADHESIVE STRUCTURE	
<p>An application may be withdrawn from issue for further action upon petition by the applicant. To request that the Office withdraw an application from issue, applicant must file a petition under this section including the fee set forth in § 1.17(h) and a showing of good and sufficient reasons why withdrawal of the application from issue is necessary.</p> <p>APPLICANT HEREBY PETITIONS TO WITHDRAW THIS APPLICATION FROM ISSUE UNDER 37 CFR 1.313(c).</p> <p>A grantable petition requires the following items:</p> <p>(1) Petition fee; and</p> <p>(2) One of the following reasons:</p> <p>(a) Unpatentability of one or more claims, which must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;</p> <p>(b) Consideration of a request for continued examination in compliance with § 1.114 (for a utility or plant application only); or</p> <p>(c) Express abandonment of the application. Such express abandonment may be in favor of a continuing application, but not a CPA under 37 CFR 1.53(d).</p>		
<p>Petition Fee</p> <p><input type="checkbox"/> Applicant claims SMALL ENTITY status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).</p> <p><input type="checkbox"/> Applicant(s) status remains as SMALL ENTITY.</p> <p><input checked="" type="checkbox"/> Applicant(s) status remains as other than SMALL ENTITY</p>		
Reason for withdrawal from issue		

- ☐ One or more claims are unpatentable
- ☒ Consideration of a request for continued examination (RCE) (List of Required Documents and Fees)
- ☐ Applicant hereby expressly abandons the instant application (any attorney/agent signing for this reason must have power of attorney pursuant to 37 CFR 1.32(b)).

RCE request, submission, and fee.

- ☐ I certify, in accordance with 37 CFR 1.4(d)(4) that:
- ☐ The RCE request, submission, and fee have already been filed in the above-identified application on
- ☒ Are attached.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

- ☒ An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.
- ☐ An attorney or agent registered to practice before the Patent and Trademark Office, acting in a representative capacity.
- ☐ A sole inventor
- ☐ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors
- ☐ A joint inventor; all of whom are signing this e-petition
- ☐ The assignee of record of the entire interest that has properly made itself of record pursuant to 37 CFR 3.71

Signature	/Kimberly V. Perry/
Name	Kimberly V. Perry
Registration Number	43612



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Decision Date : April 3, 2012

In re Application of :

Michael Bettuchi

DECISION ON PETITION
UNDER CFR 1.313(c)(2)

Application No : 12898927

Filed : 06-Oct-2010

Attorney Docket No : H-US-00177 DIV 3 (203-420)

This is an electronic decision on the petition under 37 CFR 1.313(c)(2), filed April 3, 2012 , to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid in this application cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

This application file is being referred to Technology Center AU 3721 for processing of the request for continuing examination under 37 CFR 1.114 .

Office of Petitions



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,933	10/06/2010	Toshiaki UDA	MNL-2018-2588	4786
EXAMINER				
BENSON, WALTER				
ART UNIT		PAPER NUMBER		
2837				
NOTIFICATION DATE		DELIVERY MODE		
12/27/2011		ELECTRONIC		

7590 12/27/2011
NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Betty Powell

Patent Publication Branch
Office of Data Management



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,961	10/06/2010	Kyoungsoo LEE	1630-0825PUS1	4827

2292 7590 02/01/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
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1725

NOTIFICATION DATE	DELIVERY MODE
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02/01/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BC

January 31, 2011

In re application of	:	DECISION ON REQUEST TO
Kyoungsoo Lee et al.	:	PARTICIPATE IN PATENT
Serial No. 12/898,961	:	PROSECUTION HIGHWAY
Filed: October 06, 2010	:	PROGRAM AND
For: SOLAR CELL AND METHOD FOR	:	PETITION TO MAKE SPECIAL
MANUFACTURING THE SAME	:	UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed December 23, 2010.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the KIPO, note where the KIPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the KIPO application with similar claims and the KIPO priority application;

(2) Applicant must submit a copy of:

- The allowable/patentable claim(s) from the KIPO application(s);
- An English translation of the allowable/ patentable claim(s); and
- A statement that the English translation is accurate;

(3) Applicant must:

- Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s); and
- Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit a copy of:

- All of the Office actions from each of the KIPO application(s) containing the allowable/patentable claim(s) that are the basis for the request;

Application No. 12/898,961

- b. An English language translation of the KIPO Office actions from (5)(a) above;
and
- c. A statement that the English translation is accurate; and

(6) Applicant must submit:

- a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already submitted in this application)
- b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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P.O. Box 1450
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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON DC 20001-4413

MAILED

MAR 15 2011

OFFICE OF PETITIONS

In re Application of	:	
St Onge et al.	:	DECISION REFUSING STATUS
Application No. 12/,898,965	:	UNDER 37 CFR 1.47(a)
Filed: October 6, 2010	:	
Attorney Docket No. 06530.0447-00000	:	

This is in response to the petition under 37 CFR 1.47(a), filed February 8, 2011.

The petition is dismissed.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. Applicant lacks item(s) (1) set forth above.

As to item (1), rule 47 applicant must demonstrate with documented evidence that an inventor refuses to join in the application after having been presented with the application papers (specification, claims, drawings and oath or declaration) for the instant application and not the provisional application papers. Petitioner has failed to demonstrate the application papers (specification, claims, drawings and oath or declaration) were presented to inventor St Onge. Further where it can not be established that the application papers were delivered, the Office cannot find that the inventor's failure to respond can be construed as refusal if it cannot be verified that the application papers were received.

Unless petitioner can show that a copy of the application papers was presented to the non-signing inventor, then petitioner will have to mail a copy of the complete application papers (specification, claims and drawings) to the last known address of the joint inventors, return receipt requested. A cover letter of instructions should accompany the mailing of the application papers setting a deadline or a statement that no response will constitute a refusal. This sort of

ultimatum lends support to a finding of refusal by conduct. **The proof of the pertinent events should be made by a statement of someone with firsthand knowledge of the events and should include documentary evidence, such as certified mail return receipt, cover letter of instructions, telegram, etc. See MPEP 409.03(d).**

Where there is an express or oral refusal, that fact, along with the time and place of the refusal, must be stated in an affidavit or declaration **by the party to whom the refusal was made.** Where there is a written refusal, a copy of the document(s) evidencing that refusal must be made part of the affidavit or declaration.

When it is concluded by the rule 47 applicant that an omitted inventor's conduct constitutes a refusal, all facts upon which that conclusion is based should be stated in an affidavit or declaration. If there is documentary evidence to support facts alleged in the affidavit or declaration, such evidence must be submitted.

Whenever an omitted inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the affidavit or declaration.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

Telephone inquiries should be directed to the undersigned at (571) 272-3215.



Charlema Grant
Petitions Attorney
Office of Petitions



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United States Patent and Trademark Office
P.O. Box 1450
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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON DC 20001-4413

MAILED

JUN 02 2011

OFFICE OF PETITIONS

In re Application of	:	
Andre D St Onge, Naroun Suon and Barry	:	DECISION GRANTING STATUS
Weitzner	:	UNDER 37 CFR 1.47(a)
Application No. 12/898,965	:	
Filed: October 6, 2010	:	
Attorney Docket No. 06530.0447-00000	:	
For: DEVICES FOR INTRODUCING	:	
MULTIPLE INSTRUMENTS AND	:	
METHODS OF USE	:	

This is in response to the renewed petition under 37 CFR 1.47(a), filed May 13, 2011.

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor St Onge has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3215.

Charlema Grant
Petitions Attorney
Office of Petitions



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JUN 02 2011

OFFICE OF PETITIONS

Andre D. St Onge
28 Labelle Street
Marlborough, MA 01752

In re Application of
Andre D St Onge, Naroun Suon and Barry Weitzner
Application No. 12/898,965
Filed: October 6, 2010
Attorney Docket No. 06530.0447-00000
For: DEVICES FOR INTRODUCING MULTIPLE INSTRUMENTS AND METHODS OF USE

Dear Sir:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a co-inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3215. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Charlema Grant
Petitions Attorney
Office of Petitions

cc: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON DC 20001-4413



UNITED STATES PATENT AND TRADEMARK OFFICE

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HOWISON & ARNOTT, L.L.P
P.O. BOX 741715
DALLAS TX 75374-1715

MAILED
FEB 08 2011
OFFICE OF PETITIONS

In re Application: :
Walters et al. :
Application No. 12/898,971 : **ON PETITION**
Filed: October 6, 2010 :
Attorney Docket No. INTS-30,021 :

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28 filed December 15, 2010.

On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).**

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7751.

Joan Olszewski
Petitions Examiner
Office of Petitions



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,972	10/06/2010	Katsumi HIRAKAWA	26773	4849

7590 09/21/2011
SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY, NY 11530

EXAMINER	
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ART UNIT	PAPER NUMBER
3739	

MAIL DATE	DELIVERY MODE
09/21/2011	PAPER

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management



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DWM 5cp-11

LEWIS AND ROCA LLP
1663 HWY 395, SUITE 201
MINDEN, NV 89423

MAILED

SEP 12 2011

OFFICE OF PETITIONS

In re Application of	:
Steve Saxon, et al.	:
Application No.: 12/899,085	: DECISION REFUSING STATUS
Filed: October 6, 2010	: UNDER 37 CFR 1.47(a)
Docket No.: KRYT-003CIA	:
	:

This is a decision in response to the petition, filed May 23, 2011, under the provisions of 37 CFR 1.47(a).

The petition is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Extensions of time may be obtained in accordance with 37 CFR 1.136(a).

The above-identified application was filed on October 6, 2010, without an executed oath or declaration. Accordingly, on October 21, 2010, a Notice to File Missing Parts of Nonprovisional Application was mailed. The Notice required, within two-months, *inter alia*, an executed oath or declaration, including a surcharge for its late filing. In response, on May 23, 2011, applicant filed an appropriate five (5) month petition for extension of time and fee, the requisite filing fee, additional claim fees, the search fee, the examination fee, a partially signed declaration under 37 CFR 1.63, a surcharge, a petition under 37 CFR 1.47(a) and the requisite petition fee. Additionally, a Supplemental Application Data Sheet (ADS) was filed on August 19, 2011.

A grantable petition under 37 CFR 1.47(a) requires (1) proof that the non-signing inventor cannot be reached or located, notwithstanding diligent effort, or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;

(3) the \$200 petition fee; (4) a surcharge of \$130 or \$65 (small entity) if the petition and/or declaration is not filed at the time of filing the application, and (5) a statement of the last known address of the non-signing inventor.

The petition does not comply with item (2) above. In this regard, an oath or declaration in compliance with 37 CFR 1.63 has not been presented. Pursuant to 35 U.S.C. 115 and 37 CFR § 1.63(a) and § 1.63(c)(1), an acceptable oath or declaration filed under § 1.51(b)(2) as a part of a nonprovisional application must identify all the inventors by name, citizenship and, unless such information is supplied on an application data sheet in accordance with § 1.76, must also identify the mailing address, and the residence of each inventor, if an inventor lives at a location which is different from where the inventor customarily receives mail.

The declaration of May 23, 2011 is not acceptable as it relates to joint inventors Dan Weinmann and Joel Neubeck, since the citizenship for each is not stated thereon and there is no residence address for non-signing inventor Joel Neubeck. A statement of the inventors citizenship is a statutory requirement and cannot be waived.¹

Also, the supplemental ADS filed August 19, 2011 is not acceptable. It is initially pointed out that since a supplemental ADS is treated as an amendment to the application, it must be signed in accordance with 37 CFR 1.33 and 10.18. Further, it is noted that while the supplemental ADS provides a mailing address for each inventor, it also includes the citizenship of the inventors, not supplied on the oath or declaration. Lastly, it is noted that the supplemental ADS indicates the spelling of the name of joint inventor Dan Weinmann as "Dan Weimann."

Petitioner is reminded that data supplied in the application data sheet need not be provided elsewhere in the application except that the citizenship of each inventor must be provided in the oath or declaration under 37 CFR 1.63 even if this information is provided in the application data sheet (see 37 CFR 1.76(b)). If there is a discrepancy between the information submitted in an application data sheet and the information submitted elsewhere in the application, the application data sheet will control except for the naming of the inventors and the citizenship of the inventors. See MPEP § 601.05(c)(3) which states:

"Supplemental application data sheets:

(3) The oath or declaration under § 1.63 or § 1.67 governs inconsistencies with the application data sheet in the naming of inventors (§ 1.41 (a)(1)) and setting forth their citizenship (35 U.S.C. 115);"

¹ 35 U.S.C. §115, MPEP 605.01

The relevant part of 35 U.S.C. § 115 states that “[t]he applicant shall make oath that he believes himself to be the original and first inventor of the process, machine, manufacture, or composition of matter, or improvement thereof, for which he solicits a patent; and shall state of what country he is a citizen...”

The petition cannot be granted until an acceptable oath or declaration under 37 CFR 1.63 is filed.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

By Internet: EFS-Web²

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

² www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)



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Commissioner for Patents
United States Patent and Trademark Office
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LEWIS AND ROCA LLP
1663 HWY 395, SUITE 201
MINDEN, NV 89423

MAILED

FEB 23 2012

OFFICE OF PETITIONS

In re Application of
Steve Saxon, Joel Neubeck, Michael Collins,
Dan Weinmann and William Dorman
Application No.: 12/899,085
Filed: October 6, 2010
Attorney Docket No.: KRYT-003CIA

:
:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
:
:

This is a decision in response to the petition under 37 CFR 1.47(a) filed January 12, 2012.

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor, Joel Neubeck, has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being forwarded to Technology Center 3715 for appropriate action, including notifying applicant of the new status of this application.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3204.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MR. JOEL NEUBECK
7373 N. SCOTTSDALE ROAD
SCOTTSDALE, AZ 85253

MAILED

FEB 23 2012

OFFICE OF PETITIONS

In re Application of :
Steve Saxon, Joel Neubeck, Michael Collins, :
Dan Weinmann and William Dorman : **LETTER**
Application No.: 12/899,085 :
Filed: October 6, 2010 :
Attorney Docket No.: KRYT-003CIA :

Dear Mr. Neubeck:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3204. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

cc: LEWIS AND ROCA LLP
1663 HWY 395, SUITE 201
MINDEN, NV 89423



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
David B. SOLL

Application No. 12899093

Filed:

Attorney Docket No. 3908-91U2

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 06-OCT-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 83151199 (FMC 3177 PUS)

Application Number
(if known): 12/899,156

Filing date: October 6, 2010

First Named
Inventor: Suriyaprakash Ayyangar Janarthanam

Title: Fuel Cell System And Method of Use

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement to Make Special

Signature /G. Daniel Templeton/

Date March 9, 2011

Name
(Print/Typed) G. Daniel Templeton

Registration Number 47130

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.



*Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)**

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 83151199 (FMC 3177 PUS)

Application Number
(if known): 12/899,156

Filing date: October 6, 2010

First Named
Inventor: Suriyaprakash Ayyangar Janarthanam

Title: Fuel Cell System And Method of Use

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement to Make Special

Signature /G. Daniel Templeton/

Date March 9, 2011

Name
(Print/Typed) G. Daniel Templeton

Registration Number 47130

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.



*Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,156	10/06/2010	Suriyaprakash Ayyangar Janarthanam	83151199	5201
28395 7590 03/28/2011 BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			EXAMINER LEONG, JONATHAN G	
			ART UNIT 1725	PAPER NUMBER
			MAIL DATE 03/28/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

3/28/2011

In re Application of	:	
Janarthanam et al.	:	DECISION ON PETITION
Application No. 12/899,156	:	TO MAKE SPECIAL UNDER
Filed: 10/6/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83151199	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 3/9/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1725 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAILED

JUN 30 2011

OFFICE OF PETITIONS

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of	:	
Helge Simula	:	
Application No. 12/899,183	:	Decision Refusing to Accord
Filed: October 6, 2010	:	Status Under 37 CFR 1.47(b)
Attorney Docket No. 0837-0282PUS1	:	
For: Video Compression	:	

This is a decision on the "Petition Under 37 C.F.R. § 1.47(a)" filed May 23, 2011, which is being treated as a petition under 37 C.F.R. § 1.47(b).¹

The petition is **dismissed**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 C.F.R. § 1.136(a) are permitted. No further petition fee is required for the request. Any response should be titled "Request for Reconsideration of Petition Under 37 C.F.R. § 1.47(b)" and may include an oath or declaration executed by the current non-signing inventor(s). **Failure to respond will result in abandonment of the application.**

A grantable petition under 37 C.F.R. § 1.47(b) requires:

- (1) Proof that the non-signing inventor cannot be found or reached after diligent effort or that the inventor refused to sign the declaration after having been presented with the application papers (specification, claims, and drawings),
- (2) An acceptable oath or declaration;
- (3) The petition fee;
- (4) A statement of the last known address of the non-signing inventor;
- (5) Proof of proprietary interest; and
- (6) Proof acceptance of the declaration without the inventor's signature is necessary to preserve the rights of the parties or prevent irreparable damage.

The petition fails to satisfy requirements (1), (2), and (5) set forth above.

¹ The provisions of 37 C.F.R. § 1.47(b) apply when all the inventors cannot be found and/or refuse to sign a declaration.

**The Record Fails to Establish the Inventor Refused to Sign the Declaration
After Being Supplied With the Application Papers.**

Office policy requires a copy of an application be presented to an inventor in order to establish refusal to sign a declaration. *See* MPEP § 409.03(d).

The petition fails to establish the non-signing inventor was presented with a copy of the application papers. Therefore, the petition cannot be granted.

Petitioner should send a copy of the application to the inventor along with instructions setting a deadline for the return of a signed declaration. The letter to the inventor should state that, if petitioner receives no reply from the inventor, petitioner will interpret the lack of reply as a refusal to sign the declaration. This sort of ultimatum lends support to a finding of refusal by conduct when a response is not received from an inventor. The proof of the pertinent events should be made by a statement of someone with firsthand knowledge of the events and should include documentary evidence, such as a certified mail return receipt, cover letter of instructions, telegram, etc.

Petitioner should note that when there is an express oral refusal, that fact, along with the time and place of the refusal, must be stated in an affidavit or declaration by the party to whom the refusal was made. When there is an express written refusal, a copy of the document evidencing that refusal must be made part of the affidavit or declaration. If the non-signing inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the affidavit or declaration.

The Declaration Filed with the Petition is Improper.

37 C.F.R. § 1.47(b) provides a procedure whereby the Office can accept an oath or declaration signed by a party other than the inventor(s). 37 C.F.R. § 1.47(b) does not provide a procedure whereby the Office can accept an unsigned oath or declaration.

MPEP § 409.03(b) states, with emphasis added,

[A]n application deposited pursuant to 37 CFR 1.47(b) must meet the following requirements:

- (A) *The 37 CFR 1.47(b) applicant must make the oath* required by 37 CFR 1.63 and 1.64 or 1.175. Where a corporation is the 37 CFR 1.47(b) applicant, an officer (President, Vice-President, Secretary, Treasurer, or Chief Executive Officer) thereof should normally sign the necessary oath or declaration. A corporation may authorize any person, including an attorney or agent registered to practice before the United States Patent and Trademark Office, to sign the application oath or declaration on its behalf. Where an oath or declaration is signed by a registered attorney or agent on behalf of a corporation, either proof of the attorney's or agent's authority in the form of a statement signed by an appropriate corporate officer must be submitted, or the attorney or agent may simply state that he or she

is authorized to sign on behalf of the corporation.... Where an application is executed by one other than the inventor, the declaration required by 37 CFR 1.63 must state the full name, residence, post office address, and citizenship of the nonsigning inventor. Also, the title or position of the person signing must be stated if signing on behalf of a corporation under 37 CFR 1.47(b).

The declaration submitted in this case is not signed by any party. Therefore, the declaration is improper.

Any request for reconsideration should include an executed declaration. A declaration signed by a Rule 47(b) applicant *may* take the following form:

- (1) A declaration identical to the declaration that would normally be submitted if the inventor was signing the declaration, and
- (2) An attachment to the declaration stating,

Supplement to Declaration

I, _____, am [title of individual / a registered patent attorney / a registered patent agent]. I am authorized to sign the declaration on behalf of [Company's name]. I hereby sign the declaration on behalf of [Company's name] and on behalf of the non-signing inventor.

I hereby declare I believe the inventor's residence, mailing address, and citizenship stated below the name of the inventor is correct.

I hereby declare I believe the inventor named in the declaration is the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention titled, _____, which was filed on [(MM/DD/YYYY)] as United States Application No. _____ ["and was amended on ____." (if applicable)].

I hereby state I have reviewed and understand the contents of the application, including the claims, as amended by any amendment specifically referenced above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, and material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

[Signature]

[Typed name of the individual signing the supplement]

[Title if applicable or Registration Number if applicable]

The Petition Fails to Establish the Rule 47 Applicant has a Sufficient Proprietary Interest.

The current record fails to establish Vidast Technologies Oy ("Vidast Oy") has a sufficient proprietary interest in the subject matter of the application to justify the filing of the application

Lack of Assignment

The petition states Vidast Oy is the "assignee." However, the petition fails to include a copy of any assignment of the invention executed by the inventor or identify a reel and frame number where such an assignment has been recorded with the Office. Therefore, Vidast Oy has failed to establish it has a propriety interest in the application as the result of an assignment.

The "Commitment"

The petition states,

Attached is [a] Commitment signed by the inventor, Mr. Helge Simula dated March 25, 2009, along with a translation into English. In this Commitment, the inventor agrees to assign the patents in his possession to Vidast Oy, if the patents are needed for the business of Vidast Oy.

The translation of the March 25, 2009 Commitment filed with the petition states,

Simula has assured ... Vidast Technologies Oy has sufficient enough IP-Rights in order to practice its business.

Helge Simula has also been granted (an)other patent(s) that have been referred to in the process of the pending patent application of Vidast Oy.

If the patents in the possession of Helge Simula were to be needed in the business of Vidast Oy, Simula shall assign gratuitously the patents and their technologies to the use of Vidast Oy. Simula shall not assign these patents to any other party without the consent of Vidast Oy.

The Commitment refers to patents "referred to in the process of [a] pending patent application of Vidast Oy." Therefore, the Commitment appears to only cover patents cited in an unidentified patent application, which was pending on March 25, 2009, the date the Commitment was signed by Simula. The instant application was filed October 6, 2010, more than 18 months after the Commitment was signed. Since the instant application did not exist as of March 25, 2009, the Commitment does not appear to transfer any rights in the instant application to Vidast Oy.

The Commitment appears to only require Simula to transfer rights in patents to Vidast Oy if transfer of the rights is "needed in the business of Vidast Oy." Although the petition establishes Vidast Oy wants the inventor to transfer rights in the instant application to Vidast Oy, the petition fails to explain how a transfer of such rights is actually necessary for the business of Vidast Oy.

Vidast Oy did not sign the Commitment and the Commitment does not indicate Vidast Oy gave the inventor any consideration in exchange for the inventor's agreement to "gratuitously" assign certain patents to Vidast Oy in the future if the patents are "needed in the business of Vidast Oy." Therefore, the extent to which the agreement would be legally binding in Finland is unclear. Any request for reconsideration asserting Vidast Oy has a propriety interest in the application based on the Commitment, should discuss the extent to which the Commitment would be considered a legally binding agreement in Finland.

In view of the prior discussion, the record fails to establish Vidast Oy has a propriety interest as a result of the Commitment.

Employment Contract

Leikas states, "In the employment contracts it was agreed that all rights to inventions are the property of" Vidast Oy." The petition states, "An employment agreement between Mr. Helge Simula and Vidast Technologies Oy will follow."

The Office has not received a copy of the employment agreement. Therefore, the Office is unable to assess the extent to which the provisions of the contract might support a conclusion Vidast Oy has a propriety interest in the instant application.

If a copy of the employment agreement is filed with the request for reconsideration, Petitioner should ensure the record contains sufficient facts to demonstrate the provisions of the agreement apply to the instant application. For example, if the agreement only covers inventions by Simula made during the time period he was employed by Vidast Oy, the request for reconsideration should include a statement from a party with first hand-knowledge of the facts demonstrating the claimed invention was made by Simula during the time period he was employed by Vidast Oy.

Shareholder Agreement

The petition includes a copy of a letter mailed to the inventor on December 9, 2010. The English translation of the letter asserts the inventor is obligated to sign a declaration and an assignment based on "shareholder's agreements." Petitioner has not provided a copy of any shareholder agreement. Therefore, the Office is unable to assess the extent to which the provisions of the agreement might support a conclusion Vidast Oy has a propriety interest in the instant application.

Legal Memorandum

MPEP § 409.03(f) states,

A proprietary interest obtained other than by assignment or agreement to assign may be demonstrated by an appropriate legal memorandum to the effect that a court of competent jurisdiction (federal, state, or foreign) would by the weight of authority in that jurisdiction award title of the invention to the 37 CFR 1.47(b) applicant. The facts in support of any conclusion that a court would award title to the 37 CFR 1.47(b)

applicant should be made of record by way of an affidavit or declaration of the person having firsthand knowledge of same. The legal memorandum should be prepared and signed by an attorney at law familiar with the law of the jurisdiction involved. A copy (in the English language) of a statute (if other than the United States statute) or a court decision (if other than a reported decision of a federal court or a decision reported in the United States Patents Quarterly) relied on to demonstrate a proprietary interest should be made of record.

The petition does not include a legal memorandum satisfying the criteria set forth above.

Lawsuit

Leikas states the principal owner of Vidast Oy is seeking “hundreds of thousands of euros” in a lawsuit against Simula.

Any request for reconsideration should discuss the extent to which, if any, the lawsuit involves facts or allegations relevant to the issue of Vidast Oy’s rights in the application. For example,

1. Does the litigation include an allegation Vidast Oy owns the rights to the instant application?
2. Does the litigation involve facts or allegations pertaining to the validity and/or scope of the March 25, 2009 Commitment?
3. Does the litigation involve facts or allegations pertaining to the validity and/or scope of the employment contract?
4. Does the litigation involve facts or allegations pertaining to the validity and/or scope of the shareholder agreement?
5. Has Simula agreed, or disagreed, during the litigation that he is obligated to assign his rights in the application to Vidast Oy?

Conclusion

The petition fails to satisfy the requirements set forth in 37 C.F.R. § 1.47(b). Therefore, the petition must be dismissed.

Further correspondence with respect to this matter may be submitted as follows:

By Internet: A request for reconsideration may be filed electronically using EFS Web.²
Document Code “PET.OP” should be used if the request is filed electronically.

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

² General Information concerning EFS Web can be found at <http://www.uspto.gov/patents/process/file/efs/index.jsp>.

By facsimile: (571) 273-8300
Attn: Office of Petitions

By hand: U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries regarding this communication should be directed to Petitions Attorney
Steven Brantley at (571) 272-3203.



Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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DEC 09 2011

OFFICE OF PETITIONS

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of	:	
Helge Simula	:	Decision Noting Joinder of Inventor and
Application No. 12/899,183	:	Decision Dismissing Any Request for
Filed: October 6, 2010	:	Status Under 37 CFR 1.47 as Moot
Attorney Docket No. 0837-0282PUS1	:	
For: Video Compression	:	

Papers filed on September 29, 2011, in response to a Decision refusing to accord status under 37 CFR 1.47(b) mailed June 30, 2011, include a declaration signed by the previously non-signing inventor in compliance with 37 CFR 1.63.

In view of the joinder of the inventor, further consideration under Rule 1.47(b) is unnecessary.

Therefore, the petition is **dismissed as moot**.

The sum of \$150 has been charged to Deposit Account No. 02-2448 for a one-month extension of time.

Technology Center Art Unit 2482 will be informed of the instant decision to ensure the Art Unit is aware the pending petition has been decided and that the application is in condition to be examined in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,196	10/06/2010	Hiroshi KOMORI	085393-0361	5269
7590 08/11/2011 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, NW WASHINGTON, DC 20005-3096			EXAMINER MOTTOLA, STEVEN J	
			ART UNIT	PAPER NUMBER
			2817	
			NOTIFICATION DATE	DELIVERY MODE
			08/11/2011	ELECTRONIC

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.


Patent Publication Branch
Office of Data Management



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,203	10/06/2010	Lars S. Nimgaard	PA-6742-RUP	5282
9896 7590 07/14/2011 COOK GROUP PATENT OFFICE P.O. BOX 2269 BLOOMINGTON, IN 47402			EXAMINER	
			ART UNIT	PAPER NUMBER
			3721	
			MAIL DATE	DELIVERY MODE
			07/14/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Alexandria, VA 22313-1450
www.uspto.gov

COOK GROUP PATENT OFFICE
P.O. BOX 2269
BLOOMINGTON IN 47402

<i>In re</i> Application of:	:	DECISION ON A REQUEST TO
NIMGAARD, LARS S.	:	PARTICIPATE IN PATENT
Serial No.: 12/899203	:	PROSECUTION HIGHWAY
Filed: October 6, 2010	:	PROGRAM AND PETITION
Attorney Docket No. : PA-6742-RUP	:	TO MAKE SPECIAL UNDER
Title: DEPLOYMENT HANDLE FOR AN	:	CFR 1.102(a)
INTRODUCER	:	

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 7, 2011 to make the above-identified application special.

The request and petition are **dismissed**.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more corresponding application(s) filed in the UKIPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the UKIPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the UKIPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the UKIPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
- (6) Applicant must submit IDS listing the documents cited by the UKIPO examiner in the UKIPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition met all conditions except Items #3 above.

With regard to Items #3, the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claims in the PCT application. In the claim correspondence table, applicant asserts that U.S. claim 1 corresponds to UKIPO claim 1 combined with claim 10. However, allowed UKIPO claim 1 contains the limitation of “a slidable portion axially aligned with the rotatable member...” which is not present in the pending U.S. claims. Nor is the UKIPO claim 1 limitation in element 3 “...wherein the slidable portion is only able to move longitudinally towards the rotatable member...” present in U.S. claim 1. Thus, the claims have been broadened. From the claim correspondence table, it seems that applicant has attempted to amend the claims in a way in order to obtain correspondence with the allowed UKIPO claims. For example, claims 8-10, 21-25, and 27-28 are noted as deleted, and reference to a “first” trigger wire is noted as deleted. However, there is no record of applicant actually amending the claims at the time the petition was submitted. The record shows the only claims pending in the U.S. application are the original claims 1-28 submitted on Oct. 6, 2010. Applicant is encouraged to amend the claims officially so that there is sufficient correspondence.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. Response must be filed via EFS-Web.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

Petition is **dismissed**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856



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AUG 08 2011

OFFICE OF PETITIONS

**COOK GROUP PATENT OFFICE
P.O. BOX 2269
BLOOMINGTON IN 47402**

In re Application of :
NIMGAARD :
Application No. 12/899,203 : **DECISION ON PETITION**
Filed: October 6, 2010 :
Attorney Docket No. PA-6742-RUP :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed July 7, 2011, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Notice to File Corrected Application Papers (Notice), mailed October 20, 2010. The Notice set a period for reply of **two (2) months** from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on December 21, 2010.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of replacement drawings; (2) the petition fee of \$1620; and (3) the required statement of unintentional delay.

There is no indication that the person signing the petition was ever given a power of attorney to prosecute the application. If the person signing the petition desires to receive future correspondence regarding this application, the appropriate power of attorney document must be submitted.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries should be directed to the Office of Data Management at (571) 272-4200.

This application is being referred to the Office of Data Management for further pre-examination processing.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 1630-0861PUS1

Application Number
(if known): 12/899,261

Filing date: October 06, 2010

First Named
Inventor: Jeonghun SON

Title: SOLAR CELL MODULE AND METHOD FOR MANUFACTURING THE SAME

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

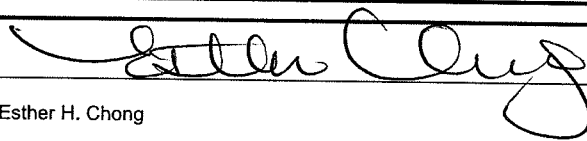
3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature



Date DEC 8 2010

Name
(Print/Typed) Esther H. Chong

Registration Number 40,953

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.



*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

4

Docket No.: 1630-0861PUS1
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Jeonghun SON et al.

Application No.: 12/899,261

Confirmation No.: 5407

Filed: October 06, 2010

Art Unit: Not Yet Assigned

For: SOLAR CELL MODULE AND METHOD
FOR MANUFACTURING THE SAME

Examiner: Not Yet Assigned

**STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT
UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In support of the Petition to Make Special Under the Green Technology Pilot Program, it is respectfully submitted that the basis for the requested special status is that the invention claimed in the above-identified patent application materially contributes to the development of renewable energy sources and/or green house gas emission reduction. Specifically, the claimed invention relates to a solar cell.

Additionally, by filing this petition, the applicant agrees to make an election without traverse in a telephone interview and elect an invention that meets the eligibility requirements set for in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

It is also submitted that this application meets the eligibility requirements to participate in the Green Technology Pilot Program, as listed in the attached Petition to Make Special Under the Green Technology Pilot Program.

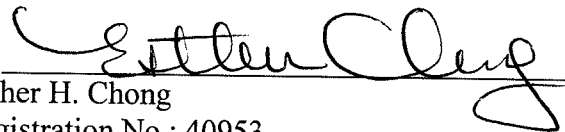
Accordingly, it is respectfully requested that the Petition be granted.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Seth S. Kim, Reg. No. 54,577, at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: **DEC 8 2010**

Respectfully submitted,

By 

Esther H. Chong

Registration No.: 40953

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

703-205-8000

Attachment



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,261	10/06/2010	Jconghun Son	1630-0861PUS1	5407

2292 7590 12/22/2010
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
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1725

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

12/22/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com



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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

DEC 22 2010

In re Application of	:	
Jeonghun Son et al.	:	DECISION ON PETITION
Application No. 12/899,261	:	TO MAKE SPECIAL UNDER
Filed: October 06, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 1630-0861PUS1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 08, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,274	10/06/2010	Kyoungsoo LEE	1630-0841PUS1	5428

2292 7590 03/09/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
03/09/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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CST

March 8, 2011

In re application of	:	DECISION ON REQUEST TO
Kyoungsoo Lee et al	:	PARTICIPATE IN PATENT
Serial No. 12/899,274	:	PROSECUTION HIGHWAY
Filed: October 6, 2010	:	PROGRAM AND
For: SOLAR CELL AND METHOD OF	:	PETITION TO MAKE SPECIAL
MANUFACTURING THE SAME	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program, filed December 23, 2010.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the KIPO, note where the KIPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the KIPO application with similar claims and the KIPO priority application;

(2) Applicant must submit a copy of:

- a. The allowable/patentable claim(s) from the KIPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
- b. An English translation of the allowable/ patentable claim(s), if applicable; and
- c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:

- a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s); and
- b. Submit a claims correspondence table in English;

- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit:
- a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the KIPO application(s) containing the allowable/patentable claims(s) or
 - ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the KIPO application is a first action allowance then no office action from the KIPO is necessary should be indicated on the request/petition form:
Further, if a copy of the documents from (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPTO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy;
 - b. An English language translation of the KIPO Office action from (5)(a)(i)-(ii) above if applicable; and
 - c. A statement that the English translation is accurate; and
- (6) Applicant must submit:
- a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already submitted in this application)
 - b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: GEVO-040/03US

Application Number
(if known): 12/899,285

Filing date: October 6, 2010

First Named
Inventor: Matthew W. PETERS

Title: INTEGRATED PROCESS TO SELECTIVELY CONVERT RENEWABLE ISOBUTANOL TO P-XYLENE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Preliminary Amendment

Signature

Name
(Print/Typed) William E. Brow

Date May 23, 2011

Registration Number 64,209

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No. GEVO-040/03US 310142-2201

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Matthew W. PETERS *et al.*

Confirmation No.: 5460

Application No.: 12/899,285

Group Art Unit: 1797

Filed: October 6, 2010

Examiner: *To Be Assigned*

**For: INTEGRATED PROCESS TO SELECTIVELY CONVERT RENEWABLE
ISOBUTANOL TO P-XYLENE**

VIA EFS-WEB

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO MAKE SPECIAL
STATEMENT OF SPECIAL STATUS AND REQUEST TO PARTICIPATE IN THE
GREEN TECHNOLOGY PILOT PROGRAM**

SIR,

Submitted herewith is a completed USPTO form PTO/SB/420 and a Petition to Make Special Pursuant to the Federal Register Notice of December 8, 2009, Vol. 74, No. 234, pp. 64666-8, to participate in the Green Technology Pilot Program as described in said Notice.

Applicants submit that the application is directed to a single invention that relates to the preparation of renewable p-xylene (e.g., for the production of renewable terephthalates monomers for preparing renewable polymers) from renewable, fermentation-derived isobutanol, and as such, the claimed invention materially contributes to the discovery or development of renewable materials, reduces the need for petroleum-derived materials, and thereby enhances the quality of the environment and results in a more efficient utilization and conservation of energy resources.

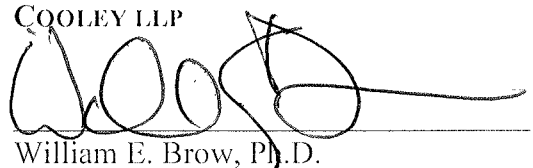
If participation in the Green Technology Pilot Program is granted, Applicants hereby agree to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement if the Office determines that the claims are not directed to a single invention.

Filed concurrently with this petition is a preliminary amendment in compliance with 37 C.F.R. § 121. Upon entry of the preliminary amendment submitted herewith, the present application will contain no more than three independent claims, no more than twenty total claims, and will not contain any multiple dependent claims.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: May 23, 2011

COOLEY LLP
ATTN: Patent Group
777 6th Street NW, Suite 1100
Washington, DC 20001
Tel: 202-842-7800
Fax: (202) 842-7899

Respectfully submitted,
COOLEY LLP

By: _____
William E. Brow, Ph.D.
Reg. No. 64,209



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,285	10/06/2010	Matthew W. Peters	GEVO-040/03US 310142-2201	5460
58249	7590	06/20/2011	EXAMINER	
COOLEY LLP			MESH, GENNADIY	
ATTN: Patent Group			ART UNIT	
Suite 1100			PAPER NUMBER	
777 - 6th Street, NW			1763	
WASHINGTON, DC 20001			MAIL DATE	
			DELIVERY MODE	
			06/20/2011	
			PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON DC 20001

6/20/11

In re Application of
PETERS, MATTHEW W. et al
Application No. 12/899,285
Filed: 10/06/2010
Attorney Docket No.
GEVO-040/03US 310142-2201

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 23, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1763 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
GARY EDWIN OLSEN

Application No. 12899321

Filed:

Attorney Docket No. GO01-02U

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 07-OCT-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Biju Nanukuttan)
Confirmation No.: 5551)
Serial No.: 12/899324)
Filing Date: 10-6-10)
Atty Docket No.: 242657-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Douglas D. Zhang/
Douglas D. Zhang
Reg. No. 37,985

Dated: February 8, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 242657-1

Application Number
(if known): 12/899324

Filing date: 10-6-10

First Named
Inventor: Biji Nanukuttan

Title: SYSTEM AND METHOD OF DISTRIBUTING AIR WITHIN A WIND TURBINE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Douglas D. Zhang/

Date 2-8-11

Name
(Print/Typed) Douglas D. Zhang

Registration Number 37,985

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

☐ *Total of forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)**

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,324	10/06/2010	Biju Nanukuttan	242657 (22402-222)	5551

45432	7590	02/23/2011
PATRICK W. RASCHE (22402)		
ARMSTRONG TEASDALE LLP		
7700 Forsyth Boulevard		
Suite 1800		
St. Louis, MO 63105		

EXAMINER	
----------	--

ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
02/23/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USpatents@armstrongteasdale.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

In re Application of	:	
NANUKUTTAN, BIJU et al	:	DECISION ON PETITION
Application No. 12/899,324	:	TO MAKE SPECIAL UNDER
Filed: Oct. 6, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 242657 (22402-222)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Feb. 11, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is Granted.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent

Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700



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Sen-Shyong Fann
24F, No. 79, Sec. 2 Jhongheng E. Rd.
Danshuei, Taipei 25170
TAIWAN R.O.C.

MAILED

MAR 15 2011

OFFICE OF PETITIONS

In re Application of	:	
Yuan'et al.	:	
Application No. 12/899,349	:	Letter
Filed: October 6, 2010	:	
Attorney Docket No. 250935-1010	:	
For: Touch System and Recognition Method	:	

Mr. Fann:

You are named as a joint inventor in the above identified United States patent application.

Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you, or a registered patent attorney or agent on your behalf, have the right to obtain copies of any papers in the file wrapper. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1 (800) 972-6382 (outside the Washington D.C. area).

General requests for information regarding the application should be directed to the File Information Unit at (703) 308-2733.

Telephone inquiries regarding this communication may be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley
Petitions Attorney
Office of Petitions

cc: THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP
600 GALLERIA PARKWAY, S.E.
STE 1500
ATLANTA, GA 30339-5994



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PVF -- ORACLE INTERNATIONAL CORPORATION
c/o PARK, VAUGHAN, FLEMING & DOWLER LLP
2820 FIFTH STREET
DAVIS CA 95618-7759

MAILED

DEC 20 2010

OFFICE OF PETITIONS

In re Application of	:
Shailender Chaudhry et al.	:
Application No. 12/899,369	: DECISION ACCORDING STATUS
Filed: October 6, 2010	: UNDER 37 CFR 1.47(a)
Attorney Docket No. SUN10-0021	:

This is in response to the petition filed November 19, 2010 under 37 CFR 1.47(a).

The petition is **DISMISSED**.

The above-identified application was filed without an executed Oath or Declaration. Accordingly, on October 20, 2010, a "Notice To File Missing Parts of Application" was mailed, requiring *inter alia* a properly executed oath or declaration and surcharge for its late filing.

In response the instant petition under 37 CFR 1.47(a) was filed. Petitioner argues that joint inventor Chaudhry refuses to sign the oath or declaration and thus by his actions, to cooperate with the filing of the instant application.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The petition bears proof that the petitioners corresponded via email with joint inventor Chaudhry, and that his reply to that email indicates his receipt of the materials transmitted, however to date he has not returned an executed oath or declaration.

Unfortunately however, the petition lacks item (1). In regards to item (1), petitioners have not submitted sufficient evidence to prove that a copy of the application was sent or given to the non-signing inventor. The evidence only indicates that formal documents were attached to the email sent to Mr. Chaudhry.

Petitioners must show proof that a copy of the Application (specification including claims, drawings, if any) and the Declaration were sent or given to the non-signing inventor for review.¹ Petitioners should provide a copy of the cover letter transmitting the application papers to the non-signing inventor or details given in an affidavit or declaration of facts by a person having first hand knowledge of the details.

Petitioners must also present proof that if after having received the complete application, the non-signing inventor refuses to sign the declaration. If there is a written refusal, a copy of the written refusal should be submitted with any renewed petition. If the refusal was made orally to a person, then that person must provide details of the refusal in an affidavit or declaration of facts.

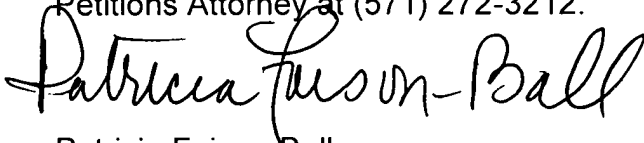
Status under 37 CFR 1.47(a) cannot be accorded this application until such time as the deficiencies have been cured.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Office of Petitions

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

¹MPEP 409.03(d).



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c/o PARK, VAUGHAN, FLEMING & DOWLER LLP
2820 FIFTH STREET
DAVIS CA 95618-7759

MAILED

FEB 22 2011

OFFICE OF PETITIONS

In re Application of
Shailender Chaudhry et al.
Application No. 12/899,369
Filed: October 6, 2010
Attorney Docket No. **SUN10-0021**

:
:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
:

This is in response to the renewed petition filed January 25, 2011 under 37 CFR 1.47(a).

The petition is **GRANTED**.

The above-identified application was filed without an executed Oath or Declaration. Accordingly, on October 20, 2010, a "Notice To File Missing Parts of Application" was mailed, requiring *inter alia* a properly executed oath or declaration and surcharge for its late filing. In response, a petition under 37 CFR 1.47(a) was filed November 19, 2010. Petitioner argued that joint inventor Chaudhry refused to sign the oath or declaration and thus by his actions, to cooperate with the filing of the instant application. The petition was dismissed in a decision mailed December 20, 2010 because petitioners had not submitted sufficient evidence to prove that a copy of the application was sent or given to the non-signing inventor. The evidence only indicated that formal documents were attached to the email sent to Mr. Chaudhry.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

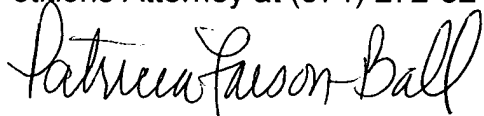
Comes now petitioner with proof that a copy of the complete application was sent to the last known address for Shailender Chaudhry and that to date he has not returned an executed oath or declaration.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). In view thereof, this application is hereby accorded Rule 1.47(a) status.

Thus, as provided in Rule 1.47c, this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This matter will be referred to the Office of Patent Application Processing for further pre-examination processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style with a large initial "P".

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 83166164

Application Number
(if known): 12/899,370

Filing date: October 6, 2010

First Named
Inventor: Ralph Wayne Cunningham

Title: METHOD AND SYSTEM FOR CONTROLLING VACUUM

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /John D. Russell/

Date March 31, 2011

Name John D. Russell
(Print/Typed)

Registration Number 47,048

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

☒ *Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ralph Wayne Cunningham et al.
Application No. : 12/899,370
Filed : October 6, 2010
Title : METHOD AND SYSTEM FOR CONTROLLING VACUUM
Group Art Unit : 3747
Confirmation No. : 5658
Docket No. : 83166164

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the U.S. Patent and Trademark Office electronic filing system (EFS-Web) to the USPTO on:

March 31, 2011
Date

/Angie C. Farr/
Angie C. Farr

STATEMENTS OF SPECIAL STATUS

Applicants respectfully request consideration of the following statement concerning the basis for the special status as well as the following statement pertaining to the materiality standard.

I. Statement concerning the basis for special status.

Applicants submit that special status is sought on the following bases: (1) the claimed invention materially contributes to the more efficient utilization and conservation of energy resources; and/or (2) the claimed invention materially contributes to greenhouse gas emission reduction.

II. Statement pertaining to the materiality standard.

As a preliminary matter, Applicants note that the following statement refers explicitly to the elements of independent claim 1, which is the broadest claim in many respects.

Regarding basis (1), Applicants submit that the claimed invention materially contributes to the more efficient utilization and conservation of energy resources by improving fuel economy (e.g., more efficiently utilizing and conserving fossil fuels).

Specifically, the claimed invention controls vacuum used to assist in actuator operation. As explained in the Background and Summary of the subject application, vacuum may be used to operate or to assist in the operation of various devices of a vehicle. For example, vacuum may be used to assist a driver applying vehicle brakes. Vacuum is often obtained from an engine intake manifold in normally aspirated engines because the intake manifold pressure is often at a pressure lower than atmospheric pressure. However, in boosted engines where intake manifold pressures are often at pressures greater than atmospheric pressure, intake manifold vacuum may be replaced or augmented with vacuum from a pump. In systems that rely on intake manifold vacuum and/or pump vacuum, pressure controlled check valves may be used to control vacuum of a reservoir that assists actuator operation. For example, if engine intake manifold pressure is low, air may be drawn from a vacuum reservoir to the engine intake manifold via a pressure controlled check valve. On the other hand, if engine intake manifold pressure is high, the pressure controlled check valve may limit air flow from the intake manifold to the vacuum reservoir. In this way, vacuum that assists actuator operation of a vehicle system may be controlled.

However, pressure controlled check valves may open or close during engine operating conditions when it may not be desirable to do so. For example, if an engine is operating at a low load condition and an opening area of the air intake passage throttle is small, vacuum in the engine air intake manifold may cause a pressure controlled valve to open such that air flow to the engine increases beyond a desired amount. As a result, engine spark may be retarded so that the desired engine torque is provided, as the excess air results in excess being injected to maintain stoichiometry (and thus to maintain emission control). However, increasing the engine spark retard can decrease engine efficiency and increase engine fuel consumption.

The claimed invention addresses these issues by closing a valve between a vehicle vacuum reservoir and an engine intake manifold to prevent air flow to the engine above a desired amount. For example, claim 1 recites:

An engine operating method, comprising:
operating an engine at a condition where a intake throttle is
substantially closed; and

closing a valve to limit engine air flow from a vacuum reservoir to the engine intake manifold when a pressure in the engine intake manifold is less than a pressure in the vacuum reservoir.

Thus, fuel wasted fuel can be avoided because additional fuel does not need to be delivered to the engine to keep engine exhaust gases substantially stoichiometric. Further, a vacuum pump can provide vacuum to vehicle systems while the intake manifold is isolated from the vacuum reservoir via the valve. In this way, it is possible to reduce engine fuel consumption and provide vacuum to a vehicle system vacuum reservoir.

Regarding basis (2), Applicants submit that the claimed invention materially contributes to greenhouse gas emission reduction as follows. CO₂ is a greenhouse gas produced from the combustion of fossil fuels. As explained above and set forth in claim 1, the claimed invention reduces fuel consumption and thus reduces CO₂ emissions.

Please charge any cost incurred in this filing, along with any other costs, to Deposit Account No. 06-1510.

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL &
TUTTLE LLP

/John D. Russell/

John D. Russell

Registration No. 47,048

Customer No. 36865

Attorney/Agent for Applicants/Assignee

806 S.W. Broadway, Suite 600

Portland, Oregon 97205

Telephone: (503) 459-4141

Facsimile: (503) 459-4142



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,370	10/06/2010	Ralph Wayne Cunningham	83166164	5658

36865 7590 04/12/2011
ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND, OR 97205

EXAMINER	
----------	--

ART UNIT	PAPER NUMBER
3747	

MAIL DATE	DELIVERY MODE
04/12/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND OR 97205

In re Application of	:	
CUNNINGHAM, RALPH WAYNE et al	:	DECISION ON PETITION
Application No. 12/899,370	:	TO MAKE SPECIAL UNDER
Filed: Oct. 6, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83166164	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 31, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3747 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700



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2929 ARCH STREET
PHILADELPHIA PA 19104-2891

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JAN 20 2011

OFFICE OF PETITIONS

In re Application of	:	
Florek et al.	:	
Application No. 12/899,378	:	DECISION ON PETITION
Filed: October 6, 2010	:	
Attorney Docket No. LOGO-0017 (PAT15)	:	

This is in response to the petition under 37 CFR 1.57(a), filed December 20, 2010, requesting that the above-referenced application be accorded a filing date of October 6, 2010. This petition is being treated pursuant to 37 CFR 1.53(e)(2).¹

The application papers in the above-identified application were deposited on October 6, 2010. However, on October 22, 2010, the Office of Patent Application Processing mailed applicants a "Notice of Incomplete Nonprovisional Application," notifying applicants that the application papers had not been accorded a filing date because the application was deposited without drawings. In response, applicants timely filed this petition. Applicants request that the application be amended to include the inadvertently omitted drawings on the basis that the application as filed contained a prior benefit claim under 37 CFR 1.78.

Applicants' arguments and evidence have been considered. However, a review of the application confirms that the application, as filed, contained at least one method claim. MPEP § 601.01(f) provides that:

It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

¹ Any request for review of a notification pursuant to § 1.53(e)(1), or a notification that the original application papers lack a portion of the specification or drawing(s), must be by way of a petition pursuant to § 1.53(e) accompanied by the fee set forth in § 1.17(f). In the absence of a timely (§ 1.181(f)) petition, the filing date of an application in which the applicants were notified of a filing error pursuant to § 1.53(e)(1) will be the date the filing error is corrected.

Thus, pursuant to § 601.01(f), a drawing is not considered essential for a filing date. The instant application is entitled to a filing date without drawings present in the application. Accordingly, the Office should have granted the application a filing date and mailed a Notice of Omitted Items instead of a Notice of Incomplete Nonprovisional Application. As stated in MPEP § 601.01(g) under the section entitled, "Application Entitled to a Filing Date," applicants may submit an amendment to include the inadvertently omitted portion of the drawing(s) pursuant to 37 CFR 1.57(a):

[i]f an application was filed on or after September 21, 2004, and contains a claim under 37 CFR 1.55 for priority of a prior-filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application that was present on the filing date of the application, and the omitted portion of the drawing(s) was inadvertently omitted from the application and is completely contained in the prior-filed application[.]

Please note that no petition is required and that the amendment must comply with 37 CFR 1.57(a) and 37 CFR 1.121. See MPEP § 201.17. Any amendment to include the inadvertently omitted drawing(s) will be considered by the examiner.

The petition is **GRANTED** to the extent the instant application will be accorded a filing date of October 6, 2010, with no drawings as part of the original disclosure.


Given the basis for granting this petition, the \$400.00 petition fee is being refunded to the Deposit Account.

Pursuant to this decision, the application will be referred to Office of Patent Application Processing for:

- **correction of the filing date to October 6, 2010;**
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing, and;**
- **for issuance of a filing receipt.**

Entry of the amendment filed December 20, 2010, will be determined by the examiner.

Telephone inquiries concerning this matter may be directed to Christina Tartera Donnell, Senior Petitions Attorney, at (571) 272-3211.


Christopher Bottorff
Supervisor
Office of Petitions



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FOSTER PEPPER PLLC
1111 3RD AVENUE SUITE 3400
SEATTLE WA 98101-3299

In re Application of :
Kelley, et al. :
Application No. 12/899,379 : ON PETITION
Filed: October 6, 2010 :
Attorney Docket No. 206297-1007-101 :

This is in response to petition to revive under 37 CFR 1.137(b),
filed March 12, 2012.

The petition under 37 CFR 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to
timely file a proper reply to the final Office action mailed
August 24, 2011, which set a shortened statutory period for reply
of three months. Applicants filed an Amendment on
February 17, 2012, made timely by obtaining a three month
extension of time. However, the Amendment did not place the
application in condition for allowance, and therefore the
application became abandoned by operation of law on
February 25, 2012. The Office mailed an Advisory Action on
February 27, 2012. The mailing of this decision precedes the
mailing of a courtesy Notice of Abandonment.


With the instant petition, petitioner paid the petition fee,
made the proper statement of unintentional delay, and submitted
the required reply in the form of an RCE.

Application No. 12/899,379

Page 2

The application is being forwarded to Group Art Unit 1777 for consideration of the RCE, filed March 12, 2012.

Telephone inquiries concerning this decision may be directed to the undersigned at 571-272-3207.

A handwritten signature in black ink, appearing to read 'Cliff Congo'.

Cliff Congo
Petitions Attorney
Office of Petitions



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ROBERT D. FISH
2603 MAIN STREET
SUITE 1000
IRVINE, CA 92614-6232

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OFFICE OF PETITIONS

In re Application of :
Dusan Miljkovic, et al. :
Application No. 12/899,385 : DECISION GRANTING PETITION
Filed: October 6, 2010 : UNDER 37 CFR 1.313(c)(2)
Attorney Docket No. 100700.0024US2 :

This is a decision on the petition under 37 CFR 1.313(c)(2), filed February 7, 2012, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on January 6, 2012 cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries regarding this decision should be directed to undersigned at (571) 272-1642. All other inquiries concerning the examination or status of this application should be directed to the Technology Center.

This application is being referred to Technology Center AU 1789 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed information disclosure statement.

/AMW/
April M. Wise
Petitions Examiner
Office of Petitions

¹ *The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.*



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,408	10/06/2010	Shinji HIRATOMO	KATOSH.080AUS	5750
20995 7590 04/20/2011 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			EXAMINER BUI, HUNG S	
			ART UNIT 2835	PAPER NUMBER
			NOTIFICATION DATE 04/20/2011	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
efiling@kmob.com
eOAPilot@kmob.com



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KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

In re Application of
HIRATOMO et al.

Application No.: 12/899,408

Filed: 06 October 2010

Attorney Docket No.: KATOSH.080AUS

For: ELECTRONIC DEVICE

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 29 March 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is
 - a. a Paris Convention application which either
 - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - i. validly claims priority to an application filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim, or
 - c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - i. validly claims priority to an application filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim;
2. Applicant must submit a copy of:

- a. The allowable/patentable claim(s) from the JPO application(s);
 - b. An English translation of the allowable/patentable claim(s) and
 - c. A statement that the English translation is accurate;
3. Applicant must:
 - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
 - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
 - a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
 - b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
 - c. A statement that the English translation is accurate;
6. Applicant must submit:
 - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.


Lee W. Young
TQAS, Technology Center 2800 – Semiconductors
Electrical & Optical Systems & Components

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 01/31/2011, OMB 0651-0062

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 0CWY-155276

Application Number
(if known): Herewith

Filing date: Herewith

First Named
Inventor: William Vincent Torre

Title: Smart Transformer

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature

Date

Name

(Print/Typed)

David E. Heisey

Registration Number 42,651

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.



*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)**

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,412	10/06/2010	William Vincent Torre	0CWY-155276	5760
30764	7590	12/22/2010		
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP			EXAMINER	
12275 EL CAMINO REAL, SUITE 200				
SAN DIEGO, CA 92130			ART UNIT	PAPER NUMBER
			2838	
			MAIL DATE	DELIVERY MODE
			12/22/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
12275 EL CAMINO REAL, SUITE 200
SAN DIEGO CA 92130

In re Application of	:	
Torre	:	DECISION ON PETITION
Application No. 12/899,412	:	TO MAKE SPECIAL UNDER
Filed: October 06, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 0CWY-155276	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on October 06, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to

make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks items 3 and 4.

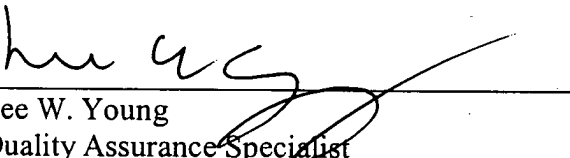
In regard to item 3, applicant has failed to provide a statement pertaining to how the materiality standard is met.

In regard to item 4, it is not clear on its face if the claimed invention materially contributes under category (A) or (B) above. It is not seen how the claimed system for implementing a smart transformer or a computer readable medium related to a Green technology.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2838 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: OCWY-155276

Application Number
(if known): Herewith

Filing date: Herewith

First Named
Inventor: William Vincent Torre

Title: Smart Transformer

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature

Date

10/6/10

Name

(Print/Typed)

David E. Heisey

Registration Number

42,651

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

☐ *Total of _____ forms are submitted.

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Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Group Art Unit:	2838
William Vincent Torre et al.)		
	)	Examiner:	Unknown
Serial No.: 12/899,412)		
	)	Confirmation No.:	5760
Filed: October 6, 2010)		
)		
For: SMART TRANSFORMER)		
)		
)		
)		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir:

Applicant hereby responds to the Communication dated December 22, 2010, in which the Petition under 37 CFR 1.102, filed on October 6, 2010 was dismissed. Applicant respectfully requests reconsideration in light of the additional Statement of Special Status set forth below.

1. Applicant asserts that the claims in the present invention are directed to a single invention that materially enhances the quality of the environment, and the efficient utilization and conservation of energy resources. In particular, the claims are directed to a system and method that uses Smart Grid technology to monitor and control electric customer load and generation in order to optimize the performance of distribution transformers, thereby increasing efficiency and conserving energy resources.

2. If the USPTO determines that the claims are directed to multiple inventions, Applicant will agree to make an election requirement without traverse in a telephonic interview and elect an invention that meets the eligibility requirements.

CONCLUSION

Applicant respectfully requests that this Statement be reflected in the Petition to Make Special under the Green Technology Pilot Program. As such, reconsideration of this Petition is respectfully requested.

Dated: December 30, 2011

Respectfully submitted,

By: /David E. Heisey/
David E. Heisey
Registration No.: 42,651

SHEPPARD MULLIN RICHTER &
HAMPTON LLP
12275 El Camino Real, Suite 200
San Diego, CA 92130
Telephone: (858) 720-8900
Facsimile: (858) 509-3691



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,412	10/06/2010	William Vincent Torre	0CWY-155276	5760
30764 7590 01/28/2011 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP 12275 EL CAMINO REAL, SUITE 200 SAN DIEGO, CA 92130			EXAMINER BARNES-BULLOCK, CRYSTAL JOY	
			ART UNIT 2121	PAPER NUMBER
			MAIL DATE 01/28/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
12275 EL CAMINO REAL, SUITE 200
SAN DIEGO CA 92130

In re Application of:

TORRE, William et al.

Application No. 12/899,412

Filed: October 6, 2010

Attorney Docket No. 0CWY-155276

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed December 30, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1-8 above. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the Technology Center Art Unit 2121 for action on the merits commensurate with this decision.

Telephone inquiries concerning this decision should be directed to Eddie C. Lee at 571-272-1732.

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist
Technology Center 2100

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0851-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 690212001000

Application Number
(if known): 12/899,419

Filing date: October 6, 2010

First Named
Inventor: Yasuo YOSHIKUNI

Title: MICROBIAL SYSTEMS FOR PRODUCING COMMODITY CHEMICALS

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature



Date April 13, 2011

Name
(Print/Typed) Michael R. Ward

Registration Number 38,651

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 1.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.



*Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,419	10/06/2010	Yasuo Yoshikuni	690212001000	5775
20872 7590 05/10/2011 MORRISON & FOERSTER LLP 425 MARKET STREET SAN FRANCISCO, CA 94105-2482			EXAMINER	
			ART UNIT	PAPER NUMBER
			1651	
			NOTIFICATION DATE	DELIVERY MODE
			05/10/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

drcaldwell@mofo.com
EOOfficeSF@mofo.com
PatentDocket@mofo.com



UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 10 2011

Commissioner for Patents
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Alexandria, VA 22313-1450
www.uspto.gov

MORRISON & FOERSTER LLP
425 MARKET STREET
SAN FRANCISCO CA 94105-2482

In re Application of	:	
YOSHIKUNI, Yasuo <i>et al.</i>	:	DECISION ON PETITION
Application No. 12/899419	:	TO MAKE SPECIAL UNDER
Filed: October 6, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 690212001000	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 13th, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1656 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600



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Commissioner for Patents
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P.O. Box 1450
Alexandria, VA 22313-1450
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JUL 18 2011

CONNOLLY BOVE LODGE & HUTZ LLP
P.O. BOX 2207
WILMINGTON DE 19899

In re Application of: Racquel Hartman	:	DECISION ON PETITION TO
Application No.: 12/899426	:	MAKE SPECIAL FOR NEW
Filed: October 6, 2010	:	APPLICATION UNDER 37
Title: BAKING PAN FOR TILTED CAKES	:	C.F.R. § 1.102 & M.P.E.P. §
	:	708.02

This is a decision on the petition filed on April 19, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

Initially, it is noted that an office action was mailed on June 8, 2011 for which the time for response continues to run.

The petition to make the application special is **DENIED**.

REGULATION AND PRACTICE

To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), the following conditions must be satisfied:

1. The application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. The application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
3. The application, at the time of filing, must be complete under 37 CFR 1.51 and in condition for examination;
4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.
5. The petition must be filed with the application.

The application as filed is not eligible for the accelerated examination under 37 C.F.R. § 1.102(d) because the petition was not filed with the application. As noted in the policy

statement referenced above, any petition to make special filed on or after the effective date must meet the new requirements set forth in the 71 Fed. Reg. 36323 notice. Applications filed before the effective date will not be eligible for the revised accelerated examination program. The effective date of the change in practice was August 25, 2006. Thus the instant petition must be reviewed under the revised practice and the instant application is ineligible.

The petition appears on its face to have been filed without recognition of the August 25, 2006 policy change to the petition to make special program. The changes to the program are substantial. The Notice of Federal Register on June 26, 2006 (71 Fed. Reg. 36323) can be accessed on the internet at <http://www.uspto.gov/web/offices/com/sol/notices/71fr36323.pdf>

Further guidance may be found website of the USPTO at <http://www.uspto.gov/web/patents/accelerated>

under the accelerated examination link.

For the above-stated reasons, the petition is **DENIED**. The application will therefore be taken up by the examiner for action in its regular turn.

Any inquiry regarding this decision should be directed to Linda Sholl, TC 3700 Special Program Examiner, at (571) 272-4391..

/Linda Sholl/
Linda Sholl
Special Program Examiner
Technology Center 3700



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NOV 23 2011

OFFICE OF PETITIONS

**WOLF GREENFIELD & SACKS, P.C.
600 ATLANTIC AVENUE
BOSTON MA 02210-2206**

Applicants: David M. Chen, et al.

Appl. No.: 12/899,447

Filing Date: October 6, 2010

Title: INTEGRATION OF PIEZOELECTRIC MATERIALS WITH SUBSTRATES

Attorney Docket: G0766.70026US00

Pub. No.: US 20110187227 A1

Pub. Date: August 4, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on September 20, 2011, for the above-identified application.

The request is granted.

The corrected patent application publication will be published in due course, unless the patent issues before the application is republished.

Inquiries relating to this matter may be directed to Karen Creasy at (571) 272-3208.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions



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P.O. Box 1450
Alexandria, VA 22313-1450
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SECOND SIGHT MEDICAL PRODUCTS, INC.
12744 SAN FERNANDO ROAD
BUILDING 3
SYLMAR CA 91342

MAILED

AUG 23 2011

OFFICE OF PETITIONS

In re Application of :
Greenberg et al. :
Application No.: 12/899451 : **DECISION ON**
Filing or 371(c) Date: 10/06/2010 : **PETITION**
Attorney Docket Number: S112-CIP2DIV2 :

This is a decision in response to the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b), filed July 13, 2011.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to file a complete and proper reply to the Notice to File Corrected Application Papers ("Notice"), mailed October 20, 2010. The Notice required replacement drawings, and set a two (2) month period for reply. Extensions of time under 37 CFR 1.136(a) were available. No complete and proper reply having been received, the application became abandoned on December 21, 2010.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply; (2) the petition fee; and (3) the required statement of unintentional delay have been filed with the present petition. Accordingly, the reply is accepted as having been unintentionally delayed.

This application is being forwarded to the Office of Patent Application Processing for processing of the reply filed with the present petition, and for continued processing in due course.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3232.

/DLW/

Derek L. Woods
Attorney
Office of Petitions



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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Ashok K. Janah
JANAH & ASSOCIATES, P.C.
650 DELANCEY STREET
SUITE 106
SAN FRANCISCO CA 94107-2001

MAILED

MAR 16 2012

In re Application of : **OFFICE OF PETITIONS**
Lusinchi, et al. :
Application No. 12/899,501 : **ON PETITION**
Filed: October 6, 2010 :
Attorney Docket No. **ETOP.2.D1** :

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181(a), filed February 16, 2012.

The petition is **dismissed**.

This application was held abandoned January 29, 2012, after no reply was received to the Notice of Allowance and Issue Fee Due mailed October 28, 2011. The Notice required payment of the issue and publication fees. The notice set forth a non-extendable statutory period for reply of three months from its mailing date. A complete reply was not received within the allowable period and the application became abandoned on January 29, 2012. A Notice of Abandonment was mailed February 15, 2012. The instant petition was filed on February 16, 2012. Petitioner maintains that the imposition of the holding of abandonment was improper because a complete reply was timely received. Specifically, petitioner maintains that there were sufficient funds in deposit account 10-0258 to charge the issue and publication fees on January 27, 2012, when the authorization to charge the deposit was filed.

A review of the application file history and the documents submitted with the petition calls into question whether there where, in fact, sufficient funds to charge the deposit account for the issue and publication fees when the attempt was made to do so. Petitioner is advised that submission of the authorization to charge the deposit account authorizes the Office to charge the deposit account for the itemized fees at its leisure and is a representation by applicant that there are sufficient funds to charge the deposit account when the paper is filed and going forward. Petitioner made the transfer to replenish the deposit account at 6:01 p.m. EST on January 27, 2012, and filed the issue fee transmittal form authorizing the deposit account to be charged at 8:15 p.m. on January 27, 2012. Though considered a timely filing, the Office did not make an attempt to charge the deposit account until 7:50 a.m. Monday, January 30, 2012. A review of petitioner's Deposit Account Statement reveals that on January 30, 2012—the date the Office made the attempt to charge the deposit account for the issue and publication fees—the balance of the deposit account was \$777.00, which was enough to charge the publication fee, yet not enough to charge the issue fee. Though petitioner filed a paper evidencing petitioner's efforts to replenish the deposit account in January 27, 2012, it does not appear the replenishment funds cleared in time to be available for payment on January 27, 2012, or the following Monday which was January 30, 2012. In filing a timely

and complete reply to an Office action, applicants are charged with ensuring that the complete reply is received prior to the expiration of the period for reply. In this case, the reply is in the form of fee payments, meaning that the entire amount due must have been present by midnight EST on January 27, 2012, or available for charging to a deposit account by that date. The funds must be available when the Office makes an attempt to charge the deposit account as the Office has no duty to go back multiple times to attempt to charge the account. This is true especially in a case such as this where the reply was not filed until the final day of the statutory period for reply. It does not appear that the deposit account had cleared funds in it on January 27, 2012, to the charge issue fee payment. Accordingly, the application was properly held abandoned on January 28, 2012. The petition is dismissed, accordingly.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
United States Patent and Trademark Office
Box 1450
Alexandria, VA 22313-1450

By facsimile: (571) 273-8300
Attn: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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In re Application of
WAI MUN LEE

Application No. 12899502

Filed: October 6, 2010

Attorney Docket No. 091708-0003

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 15-FEB-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	12899514	Filing date:	10/06/2010
First Named Inventor:	Russell C. Teasdale		
Title of the Invention: SYSTEMS AND METHODS FOR ORTHODONTIC DEVICES			
THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBS/EF5_HELP.HTML			

**APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE
ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.**

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US09/64494

The international date of the corresponding PCT application(s) is/are: 15 November 2009 (15.11.2009)

I. List of Required Documents:

- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

☒

Is attached.

☐

Is not attached because the document is already in the U.S. application.

- b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐

Is attached.

☒

Is not attached because the document is already in the U.S. application.

- c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM
BETWEEN THE KIPO AND THE USPTO**

(continued)

Application No.: 12899514

First Named Inventor: Russell C. Teasdale

- d. (1)
- An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**



Is attached



Has already been filed in the above-identified U.S. application on _____

- (2)
- Copies of all documents (except) for U.S. patents or U.S. patent application publications)**



Are attached.

Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-13	1-13	identical
14	14	corrected antecedent basis
15	15	corrected antecedent basis
16-21	16-21	identical
22	22	corrected antecedent basis
23	23	identical
24	24	identical
25-27	25-27	corrected antecedent basis
28	28	identical
29	29	corrected antecedent basis
30-32	30-32	identical
33	33	corrected antecedent basis
34-37	34-37	identical
38	38	corrected antecedent basis
39-47	39-47	identical
48	48	corrected antecedent basis
49	49	identical

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Paul J. Fordenbacher/	Date 10/06/2010
Name (Print/Typed) Paul J. Fordenbacher	Registration Number 42546

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,514		Russell C. Teasdale	TEA-2.001.PR.PCT.CON	5954
81632	7590	11/10/2010	EXAMINER	
Silicon Forest Patent Group Paul J. Fordenbacher 11876 NW Tyler Ct Portland, OR 97229			ART UNIT	PAPER NUMBER
			3732	
			NOTIFICATION DATE	DELIVERY MODE
			11/10/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

paul@siliconforestpatentgroup.com
sydneybirdsals@verizon.net



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Silicon Forest Patent Group
Paul J. Fordenbacher
11876 NW Tyler Ct
Portland OR 97229

In re Application of	:	
TEASDALE, RUSSELL C.	:	DECISION ON REQUEST TO
Application No. 12/899,514	:	PARTICIPATE IN PATENT
Filed: Oct. 6, 2010	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. TEA-2.001.PR.PCT.CON	:	PROGRAM AND PETITION
Title: SYSTEMS AND METHODS FOR	:	37 CFR 1.102(d)
ORTHODONTIC DEVICES	:	

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(d), filed Oct. 6, 2010, to make the above-identified application special.

The request and petition are granted.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application must disclose an eligible relationship to one or more PCT applications filed in the KIPO, JPO, EPO or USPTO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
- (6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Other inquiries concerning the examination or status of the application should be directed to Cris Rodriguez, the SPE of Art Unit 3732 and 571-272-4964 for Class 433/6 and also accessible in the PAIR system at <http://www.uspto.gov/eac/index.html>.

All other inquiries concerning the examination or status of the application should be directed to the Patent Application Information Retrieval (PAIR) system.

This application is currently undergoing pre-examination processing. Once completed, the application will be docketed to an examiner for action on the merits commensurate with this decision.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

The petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856



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Adli Law Group P.C.
633 West Fifth Street
Suite 5880
Los Angeles CA 90071

MAILED

AUG 18 2011

OFFICE OF PETITIONS

In re Application of	:	
Geng-Shin Shen	:	
Application No. 12/899,533	:	DECISION ON PETITION
Filed: October 6, 2010	:	
Attorney Docket No. Richlp-107	:	

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed July 25, 2011, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Non-Provisional Application (Notice), mailed October 21, 2010. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the application became abandoned on December 22, 2010. A Notice of Abandonment was mailed July 7, 2011.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of \$130 surcharge fee, \$330 basic filing fee, \$540 search fee and \$220 examination fee (previously filed on December 22, 2010), (2) the petition fee of \$1,620, and (3) a proper statement of unintentional delay. Accordingly the fees are accepted as being unintentionally delayed.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Since the \$130 extension of time fee submitted on July 25, 2011 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

Telephone inquiries should be directed to the Kimberly Inabinet at (571) 272-4618.

This application is being referred to the Office of Patent Application Processing for appropriate action in the normal course of business on the reply received July 25, 2011.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

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SEP 07 2011

OFFICE OF PETITIONS

**Adli Law Group P.C.
633 West Fifth Street
Suite 5880
Los Angeles CA 90071**

In re Application of
Jui-Hung YEH
Application No. 12/899,535
Filed: October 6, 2010
Atty. Docket No.: 1019.103

:
:
:
:
:
ON PETITION

This is in response to the petition under 37 CFR 1.137(b), filed August 26, 2011, to revive the above-identified application.

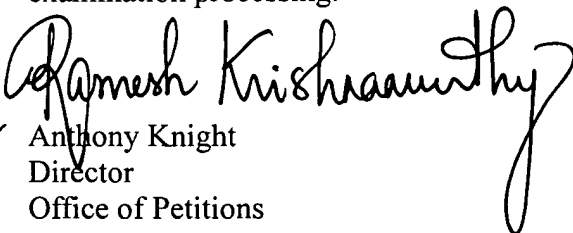
The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts mailed October 21, 2010 (Notice), which set a shortened period for reply of two (2) months. No extension of time under the provisions of 37 CFR 1.136(a) was obtained. The application became abandoned December 22, 2010. A Notice of Abandonment was mailed August 4, 2011.

The petition satisfies the conditions for revival under 37 CFR 1.137(b) by including (1) a reply in the form of a Response to the Notice mailed October 21, 2010, (2) a petition fee of \$1620, and (3) a statement of unintentional delay. The reply to the Notice is accepted as having been unintentionally delayed.

Telephone inquiries regarding this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427).

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

for 
Anthony Knight
Director
Office of Petitions



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,697	10/07/2010	Kazuki Honda	26774	6329
23389 7590 05/24/2011 SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530				
			EXAMINER	
			ART UNIT	PAPER NUMBER
			3739	
			MAIL DATE	DELIVERY MODE
			05/24/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
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SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY NY 11530

In re Application of:
HONDA, KAZUKI et al
Serial No.: 12/899,697
Filed: Oct. 7, 2010
Docket: 26774
Title: MEDICAL SYSTEM

::
:: DECISION ON REQUEST
: TO PARTICIPATE IN
:: PATENT PROSECUTION
HIGHWAY (PPH) AND
PETITION TO MAKE
SPECIAL UNDER 37 CFR
1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 4, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more corresponding application(s) filed in the JPO or to a PCT application that does not contain any priority claim, or the U.S. application must be a national stage entry of a PCT application that does not contain any priority claim;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
- (6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application. This application is currently undergoing pre-examination processing and will be forwarded to an examiner for examination.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. All other inquiries concerning the examination or status of the application should be directed to Linda Dvorak, SPE of Art Unit 3739, and 571-272-4764 for Class 600 and also accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856



UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No.

LAW OFFICE OF DALE B. HALLING
3595 FOUNTAIN BOULEVARD
SUITE A2
COLORADO SPRINGS CO 80910

MAILED

JUN 30 2011

OFFICE OF PETITIONS

In re Application of :
Gene Daigle, Mike Rose :
Charles Lindsey, Vance Brown : DECISION REFUSING STATUS
Douglas Stoyer and Robert Stadjuhar: UNDER 37 CFR 1.47(a)
Application No. 12/899,755 :
Filed: October 7, 2010 :
Attorney Docket No. SKY0501CIP :

This is a decision on the PETITION UNDER 37 CFR 1.47(a) filed
January 21, 2011.

The petition is DISMISSED.

Rule 47 applicant is given **TWO MONTHS** from the mailing date of
this decision to reply, correcting the below-noted deficiencies.
Any reply should be entitled "Request for Reconsideration of
Petition Under 37 C.F.R. §1.47(a)," and should only address the
deficiencies noted below, except that the reply may include an
oath or declaration executed by the non-signing inventors.
Failure to respond will result in abandonment of the
application. Any extensions of time will be governed by 37
C.F.R. § 1.136(a).

The above-identified application was filed on October 7, 2010,
without an oath or declaration. Accordingly, on October 21,
2010, applicants were mailed a "Notice to File Missing Parts of
Nonprovisional Application," requiring submission of an executed
oath or declaration and payment of the surcharge for late filing
under § 1.16(e). This Notice set a two-month period for reply,
with extensions of time obtainable under § 1.136(a).

In response, rule 47 applicants timely filed the instant petition, along with payment of the petition fee; and a declaration executed by inventors Daigle, Stoyer, and Stadjuhar on behalf of themselves and on behalf of non-signing inventors Rose, Lindsey and Brown. This response was made timely by an accompanying petition and fee for extension of time for response within the first month. On petition, applicants assert that status under § 1.47(a) is proper because inventors Charles Lindsey, Vance Brown and Kwon cannot be found after diligent effort to execute the declaration.

Preliminarily, it is noted that the response lacks payment of the late surcharge. In this regard, petitioner is advised that the Office of Data Management may independently hold this application abandoned for failure to file a proper response to the Notice to File Missing Parts of Application mailed October 21, 2010.

A grantable petition under 37 C.F.R. § 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or found, after diligent effort, or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. The instant petition does not satisfy requirement (1).

The petition includes an acceptable declaration, payment of the petition fee and states the last known addresses for non-signing inventors Rose, Brown and Lindsay.

With respect to requirement (1), rule 47 applicants have not submitted adequate proof that all of the non-signing inventors either refused or could not be found to execute the declaration. The petition includes sufficient proof that inventor Lindsay received the application papers and that his failure to respond to a request to execute the declaration constitutes a refusal. Of note, the petition includes a responsive email indicating his refusal. However, with respect to inventors Rose and Brown, petitioner has shown that the application papers were sent to these inventors at addresses at which they no longer reside. It is stated that letters to inventors Rose and Brown were returned to sender with no forwarding information provided. Further,

petitioner states that a search of the public records did not reveal any other addresses for inventor Rose or inventor Brown. Unfortunately, the search results are not made of record. In order to have the necessary proof required under 37 CFR § 1.47 that the inventors cannot be reached after diligent effort, applicants should submit details of the efforts to reach or locate the non-signing inventors in an affidavit or declaration of facts by a person with first hand knowledge of the details and submit documentary evidence such as the results of any E-mail or Internet searches. The petition does not include such documentary evidence.

On renewed petition, applicants need to submit evidence of the internet searches (or other pertinent evidence) that support a conclusion that inventors Rose and Brown cannot be located after diligent effort.

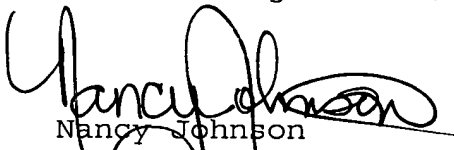
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Attn: Office of Petitions
 ATTN: NANCY JOHNSON

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3219.


Nancy Johnson
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Paper No.

LAW OFFICE OF DALE B. HALLING
3595 FOUNTAIN BOULEVARD
SUITE A2
COLORADO SPRINGS CO 80910

MAILED

SEP 26 2011

OFFICE OF PETITIONS

In re Application of :
Gene Daigle, Mike Rose :
Charles Lindsey, Vance Brown : DECISION REFUSING STATUS
Douglas Stoyer and Robert Stadjuhar: UNDER 37 CFR 1.47(a)
Application No. 12/899,755 :
Filed: October 7, 2010 :
Attorney Docket No. SKY0501CIP :

This is a decision on the "Request for Reconsideration of PETITION UNDER 37 CFR 1.47(a) Inventor Refuses to Sign or Cannot be Reached" filed September 13, 2011.

The renewed petition is **DISMISSED**.

Rule 47 applicant is given **TWO MONTHS** from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 C.F.R. §1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventors. Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 C.F.R. § 1.136(a).

By decision mailed June 30, 2011, the initial petition filed January 21, 2011, was dismissed¹. With respect to inventors Rose

¹ A grantable petition under 37 C.F.R. § 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or found, after diligent effort, or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§115 and 116; (3) the

and Brown, applicants did not make an adequate showing that the inventors could not be reached or found after diligent effort to join in the application. It was required that on renewed petition, applicants submit evidence of the internet searches (or other pertinent evidence) that support a conclusion that inventors Rose and Brown cannot be located after diligent effort.

On instant renewed petition, applicants submitted a declaration executed by inventor Brown and evidence of the searches undertaken to locate inventor Rose. Given the joinder of inventor Brown, with respect to inventor Brown, no further consideration under 37 CFR 1.47(a) is necessary.

Applicants have not submitted adequate proof that inventor Rose cannot be located after diligent effort. Without explanation it seems that applicants have limited their search of public records for Michael Rose to Eagle County, Colorado. Although the expired forwarding order referenced Avon, Colorado, absent reasonable explanation, undertaking diligent efforts requires searching the public records beyond one county in Colorado.

Further correspondence with respect to this matter should be addressed as follows:

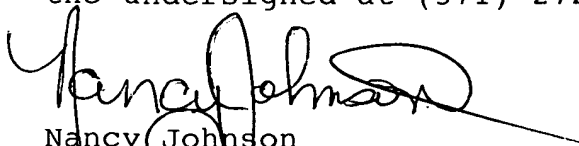
By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Attn: Office of Petitions
 ATTN: NANCY JOHNSON

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

petition fee; and (4) a statement of the last known address of the non-signing inventor.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", with a long horizontal flourish extending to the right.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Paper No.

LAW OFFICE OF DALE B. HALLING
3595 FOUNTAIN BOULEVARD
SUITE A2
COLORADO SPRINGS CO 80910

MAILED
DEC 12 2011
OFFICE OF PETITIONS

In re Application of :
Gene Daigle, Mike Rose :
Charles Lindsey, Vance Brown : DECISION ACCORDING STATUS
Douglas Stoyer and Robert Stadjuhar: UNDER 37 CFR 1.47(a)
Application No. 12/899,755 :
Filed: October 7, 2010 :
Attorney Docket No. SKY0501CIP :

This is a decision on the "Request for Reconsideration of PETITION UNDER 37 CFR 1.47(a) Inventor Refuses to Sign or Cannot be Reached" filed November 29, 2011.

The petition is **GRANTED**.

The above-identified application was filed on October 7, 2010, without an oath or declaration. In response to the "Notice to File Missing Parts of Nonprovisional Application" mailed October 21, 2010, on January 21, 2011, applicants timely filed the initial petition with a declaration executed by inventors Daigle, Stoyer, and Stadjuhar on behalf of themselves and on behalf of non-signing inventors Rose, Lindsey and Brown. By decision mailed June 30, 2011, the petition was dismissed. The requirements of 37 CFR 1.47(a) were met except it was determined that applicants had not submitted adequate proof of the unavailability of nonsigning inventors Rose and Brown. (The proof was sufficient as to unavailability of inventor Lindsay)

On September 13, 2011, applicants timely filed the first renewed petition with the declaration executed by inventors Daigle, Stoyer, Stadjuhar and Brown on behalf of themselves and on behalf of non-signing inventors Rose and Lindsey. (Previously, nonsigning inventor Brown had joined in the application). By

decision mailed September 26, 2011, the renewed petition was dismissed. The requirements of 37 CFR 1.47(a) were met except it was determined that applicants still had not submitted adequate proof that non-signing inventors Rose could not be reached or found, after diligent effort, to sign the oath or declaration.

On instant renewed, applicants submitted adequate proof, including documentary evidence of internet searches and an explanation of the search, that inventor Rose could not be found, after diligent effort, to sign the oath or declaration. This proof has been considered and it is determined that the showing of unavailability as to inventor Rose is sufficient.

The declarations filed January 21, 2011 and September 13, 2011, have been reviewed and found in compliance with § 1.63. Payment of the petition fee of \$200 has been paid and a statement of the last known addresses of the non-signing inventors has been provided.

In view thereof, this application is hereby accorded Rule 1.47(a) status.

As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", is written over the typed name and title.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Mr. Mike Rose
82 Skyview Circle
Divide, CO 80814

MAILED

DEC 12 2011

OFFICE OF PETITIONS

In re Application of :
Gene Daigle, Mike Rose :
Charles Lindsey, Vance Brown :
Douglas Stoyer and Robert Stadjuhar: LETTER
Application No. 12/899,755 :
Filed: October 7, 2010 :
Attorney Docket No. SKY0501CIP :

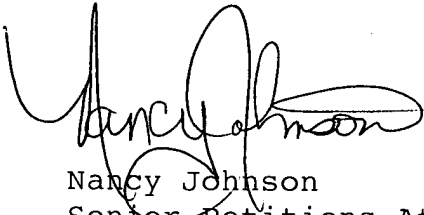
Dear Mr. Rose:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63. However, no action on your part is required for this patent to issue with you as a named inventor.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (571) 272-3219. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733.

Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is fluid and cursive, with the first name "Nancy" being more prominent than the last name "Johnson".

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

LAW OFFICE OF DALE B. HALLING
3595 FOUNTAIN BOULEVARD
SUITE A2
COLORADO SPRINGS CO 80910



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Mr. Charles Lindsey
18379 Lazy Summer Way
Monument, CO 80132

MAILED

DEC 12 2011

OFFICE OF PETITIONS

In re Application of :
Gene Daigle, Mike Rose :
Charles Lindsey, Vance Brown :
Douglas Stoyer and Robert Stadjuhar: LETTER
Application No. 12/899,755 :
Filed: October 7, 2010 :
Attorney Docket No. SKY0501CIP :

Dear Mr. Lindsey:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

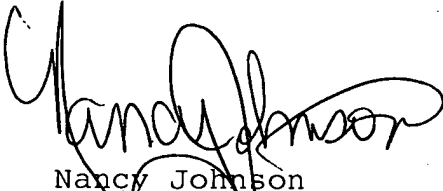
As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63. However, no action on your part is required for this patent to issue with you as a named inventor.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (571) 272-3219. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be

Application No. 12/899,755

Page 2

directed to the Certification Division at (571) 272-3150 or 1-800-972-6382 (outside the Washington D.C. area).



Nancy Johnson
Senior Petitions Attorney
Office of Petitions

LAW OFFICE OF DALE B. HALLING
3595 FOUNTAIN BOULEVARD
SUITE A2
COLORADO SPRINGS CO 80910

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No.:	12/899,761	First Named Inventor:	Peter A. Morken
Filing Date:	October 7, 2010	Attorney Docket No.:	PP0093USNA
Title of the Invention:	Starch Purging Material		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EFW/EFW_HELP.HTML](http://www.uspto.gov/efw/efs_help.html).

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PILOT PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/053651

The international filing date of the corresponding PCT application(s) is/are: 22 October 2010

I. List of Required Documents:

- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**
 - ☒ is attached.
 - ☐ is not attached because the document is already in the U.S. application.
- b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s)**
 - ☒ is attached.
 - ☐ is not attached because the document is already in the U.S. application.
- c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**
- d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**
 - ☒ is attached.
 - ☐ has already been filed in the above-identified U.S. application on _____
- (2) Copies of all documents (except for U.S. patents or U.S. patent application publications)**
 - ☒ are attached.
 - ☐ have already been filed in the above-identified U.S. application on _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	12/899,761	First Named Inventor:	Peter A. Morken
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II. Claims Correspondence Table:

[illegible]

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature <u>/Marilyn H. Bromels/</u>	Date <u>March 8, 2012</u>
Name (Print/Typed) <u>Marilyn H. Bromels</u>	Registration Number <u>35,080</u>

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Sunbeam Products, Inc.
2381 Executive Center Drive
Boca Raton FL 33431

MAILED
AUG 15 2011
OFFICE OF PETITIONS

In re Application of :
Leung Kwok Wai Simon, et al. :
Application No. 12/899,779 : **DECISION ON PETITION**
Filed: October 7, 2010 :
Attorney Docket No. Holmenv-2-6694 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed July 15, 2011, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Notice to File Corrected Application papers, mailed October 21, 2010. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on December 22, 2010. The Notice of Abandonment was mailed June 30, 2011.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of replacement drawings, (2) the petition fee of \$1,620, and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Terri Johnson at (571) 272-2991.

This application is being referred to the Office of Patent Application Processing for appropriate action on the reply received.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
MINNEAPOLIS MN 55402

MAILED

SEP 30 2011

OFFICE OF PETITIONS

In re Application of :
Hempstead, et al. :
Application No. 12/899,851 :
Filed: October 7, 2010 :
Attorney Docket No. 2534.005US2 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed September 26, 2011

The petition under 37 CFR 1.137(b) is GRANTED.

The above-identified application became abandoned on May 23, 2011, for failure to file a complete and proper reply to the "Notice to File Missing Parts of Non-Provisional Application" mailed October 22, 2010. The notice set a period for reply of two months from its mailing date. The notice required replacement drawings to be filed, along with other items. A response was filed on May 20, 2011. A Notice of Abandonment was mailed on July 26, 2011, indicating that replacement drawings were not received.

The replacement drawings filed September 26, 2011, are noted. This decision should not be interpreted as an assurance that the replacement drawings satisfy the requirements of 37 CFR 1.84. This determination will be made by the Office of Patent Application Processing.

This application is being forwarded to the Office of Patent Application Processing for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Patent No. : **7909947**
Ser. No. : **12/899854**
Inventor(s) : **PANDEY, AWADH B.**
Issued : **03/22/2011**
Title : **HIGH STRENGTH L12 ALUMINUM ALLOYS**
Docket No. : **PA0006928U-U73.12-555KL**

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule(s) 1.322 and/or 1.323.

In regards to the alleged error(s) on the Cover Page, Item 75 is printed in accordance with the Oath of Declaration filed on 10-22-07. A Petition under Rule 1.182 is required to correct the spelling of an inventor's name.

In view of the foregoing, your request, in this matter, is hereby denied.

Omega Lewis
For Mary Diggs
Decisions & Certificates
Of Correction Branch
(703)756-1575 or (703) 756-1814

Kinney & Lange, P.A.
312 South Third Street
Minneapolis MN 55415-1028

OL

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 192481-4	Application Number (if known): 12/899,918	Filing date: October 7, 2010
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First Named Inventor: Zhuochui TAN

Title: SYSTEM AND METHOD FOR CONTROLLING TORQUE RIPPLES IN SYNCHRONOUS MACHINES

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Douglas D. Zhang/	Date
Name Douglas D. Zhang (Print/Typed)	Registration Number 37,985

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,918	10/07/2010	Zhuohui Tan	192481-4	6760
6147 7590 12/21/2010 GENERAL ELECTRIC COMPANY GLOBAL RESEARCH ONE RESEARCH CIRCLE BLDG. K1-3A59 NISKAYUNA, NY 12309			EXAMINER GONZALEZ, JULIO C	
			ART UNIT 2839	PAPER NUMBER
			NOTIFICATION DATE 12/21/2010	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ldocket@crd.ge.com
rosssr@ge.com
gpodckt.mail@ge.com



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GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

In re Application of	:	
Tan et al	:	DECISION ON PETITION
Application No. 12/899,918	:	TO MAKE SPECIAL UNDER
Filed: October 07, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 192481-4	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 14, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

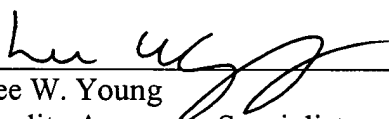
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2839 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **241570-1** Application Number (if known): **12/899,920** Filing date: **10-07-2010**

First Named Inventor: **Jerrold Aaron Kappler**

Title: **CLOTHES WASHER DEMAND RESPONSE WITH DUAL WATTAGE OR AUXILIARY HEATER**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **12/14/11**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jerrod Aaron Kappler)
Confirmation No.: 6766)
Serial No.: 12/899,920)
Filing Date: 10-07-2010)
Atty Docket No.: 241570-1)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

This disclosure relates to energy management, and more particularly to energy management of household consumer appliances. The present disclosure finds particular application to energy management of a clothes washer appliance, and is also referred to as a clothes washer demand response. (See [0002]).

Currently, utilities charge a flat rate. Increasing costs of fuel prices and high energy use during certain parts of the day make it highly likely that utilities will begin to require customers to pay a higher rate during peak demand. Accordingly, a potential cost savings is available to the homeowner by managing energy use of various household appliances, particularly during the peak demand periods. (See [0003]).

In one embodiment of the invention, a clothes washer is provided that includes at least one power-consuming feature, including a heater assembly. A controller is adapted to receive and process a signal from a utility indicative of the

current cost of supplied energy. The controller operates the clothes washer in one of a plurality of operating modes, including at least a normal mode and an energy savings mode based on the received signal. The controller is configured to change the operation of the heater assembly for a period of time based on input received from the signal. (See [0005]).

The heater assembly preferably includes a first heater and a second heater, or a dual wattage heater, and in the normal operating mode, only the first heater is used. In another normal operating mode, both of the first and second heaters are used, and in the energy savings mode, only one of the first and second heaters is used. (See [0006]).

In another embodiment, a method of operating a clothes washer having a controller that receives and processes a signal from a utility indicative of the current cost of supplied energy is provided. The method comprises providing a dual wattage heater assembly and operating the heater assembly at a lower wattage in the energy savings mode. (See [0010]).

The disclosed embodiments reduce the average power used by a clothes washer during peak pricing times, and/or reduce the overall energy used by the clothes washer during peak pricing times. Additionally, the present arrangement saves on costs, and adds convenience and flexibility for the consumer to deal with pricing events. (See [0012]-[0013]). Furthermore, said embodiments allow for greater informational awareness and control of energy resources in conjunction with appliance operations, which has been shown to encourage

reductions in energy consumption, and results in greater energy efficiency on the part of consumers and utilities.

Accordingly, Applicant respectfully submits that Special Status is sought on the basis that the embodiments disclosed in the present application materially contribute to the more efficient utilization and conservation of energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: December 14, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,920	10/07/2010	Jerrold Aaron Kappler	241570-1GECZ 2 01082US01	6766
27885	7590	12/23/2011	EXAMINER	
FAY SHARPE LLP 1228 Euclid Avenue, 5th Floor The Halle Building Cleveland, OH 44115			PERRIN, JOSEPH L	
			ART UNIT	PAPER NUMBER
			1711	
			MAIL DATE	DELIVERY MODE
			12/23/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

12/23/2011

In re Application of	:	
Jerrold A. Kappler	:	DECISION ON PETITION
Application No. 12/899,920	:	TO MAKE SPECIAL UNDER
Filed: October 07, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 241570-1GECZ201082US01	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 14, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010), 75 Federal Register Notice 69049 (November 10, 2010) and 76 Federal Register Notice 77979 (December 15, 2011).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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LADAS & PARRY LLP
224 SOUTH MICHIGAN AVENUE
SUITE 1600
CHICAGO, IL 60604

MAILED

NOV 22 2010

OFFICE OF PETITIONS

In re Application of
Alexandre Guillon et al
Application No. 12/899,949
Filed: October 7, 2010
Attorney Docket No. CU-8668 BWH

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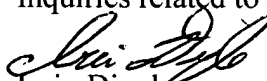
NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).**

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

Inquiries related to this communication should be directed to Irvin Dingle at (571) 272-3210.


Irvin Dingle
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jerrod Aaron KAPPLER)
Confirmation No.: 6823)
Serial No.: 12/899,951)
Filing Date: 10-07-2010)
Atty Docket No.: 241572-1 (GECZ 2 01082US0))

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

This application relates to energy management, and more particularly to energy management of household consumer appliances. The present application is particularly useful for energy management of a clothes washer appliance, and is also referred to as a clothes washer demand response. (See [0002])

The present application reduces the average power used by the clothes washer during peak pricing times, and/or reduces overall energy used by the clothes washer and dryer during peak pricing times. (See [0012])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the more efficient utilization and conservation of energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 4, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 241572-1 (GECZ 2 01082US0) Application Number (if known): 12/899,951 Filing date: 10-07-2010

First Named Inventor: Jerrod Aaron KAPPLER

Title: CLOTHES WASHER DEMAND RESPONSE BY DUTY CYCLING THE HEATER AND/OR THE MECHANICAL ACTION

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/

Date

Name (Print/Typed) Allison W. Mages

Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.



*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,951	10/07/2010	Jerrold Aaron Kappler	241572-1 (GECZ 2 01082US0	6823
27885	7590	11/17/2011	EXAMINER	
FAY SHARPE LLP 1228 Euclid Avenue, 5th Floor The Halle Building Cleveland, OH 44115			PERRIN, JOSEPH L	
			ART UNIT	PAPER NUMBER
			1711	
			MAIL DATE	DELIVERY MODE
			11/17/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

11/17/2011

In re Application of	:	
Kappler et al.	:	
Application No. 12/899,951	:	DECISION ON PETITION
Filed: 10/7/2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 241572-1 (GECZ 2	:	THE GREEN TECHNOLOGY
01082US0	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 11/4/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1711 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Jerrod Aaron Kappler, et al.
FOR : CLOTHES WASHER DEMAND
RESPONSE BY DUTY CYCLING
HEATER AND/OR THE MECHANICAL
ACTION
SERIAL NO. : 12/899,951
FILED : October 07, 2010
ART UNIT : Unknown
ATTORNEY DOCKET NO. : 241572-1 (GECZ 201082US02)

**REQUEST TO VACATE WRITTEN RESTRICTION,
CONFIRMATION OF TELEPHONONIC ELECTION, AND
REQUEST TO MAINTAIN GREEN TECHNOLOGY SPECIAL STATUS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby confirms in writing the telephonic election, without traverse, of Group I, claims 1-11, and 13-16 directed to a clothes washer, made 02 December 2011 in response to the telephone restriction outlined by the Examiner. The non-elected claims 17-20 and 22 of Group II directed to the method of operating a clothes washer are withdrawn without prejudice.

To summarize, the examiner left a voicemail with Ms. Allison Mages outlining the restriction requirement. Ms. Mages forwarded the voicemail on 01

CERTIFICATE OF ELECTRONIC TRANSMISSION	
I hereby certify that this correspondence, and any item referred to herein as being attached or enclosed, are being transmitted to the U.S. Patent and Trademark Office by electronic transmission via EFS-Web on the date indicated below.	
December 08, 2011	Mary M. Schriener
Date	By: Mary M. Schriener

December 2011, and the undersigned left a voicemail for the examiner on 01 December 2011 requesting clarification of the claims for each group in light of the Preliminary Amendment filed 04 November 2011. The examiner called the undersigned on 02 December 2011 and indicated that, although the Restriction had not been physically mailed, it could not be retrieved from the system and thus would be mailed. Therefore, the examiner and the undersigned concluded that it would be best to await receipt of the mailed Restriction Requirement, and then submit this summary and request that the written restriction be vacated (in light of the telephonic election) so that the application could maintain its Green Technology special status.

A listing of the claims indicating their status after the entry of the telephonic election begins on page 3 of this document.

Listing of the Claims:

1. (Original) A clothes washer comprising:
at least one power consuming feature including a heater assembly, a basket for receiving laundry articles therein, and a motor for imparting mechanical action to the basket;
a controller adapted to receive and process a signal indicative of the cost of supplied energy, the controller operating the clothes washer in one of a plurality of operating modes including at least a normal mode and an energy savings mode based on the received signal, the controller configured to modify a duty cycle of at least one of the heater assembly and movement of the basket in response to a signal representing the energy savings mode.
2. (Original) The clothes washer of claim 1 wherein the modified duty cycle reduces the average power used by the heater assembly during the energy savings mode.
3. (Original) The clothes washer of claim 1 wherein the controller intermittently operates the heater assembly during the energy savings mode.
4. (Original) The clothes washer of claim 1 wherein in the energy savings mode the mechanical action of the basket is modified.
5. (Original) The clothes washer of claim 4 wherein in the energy savings mode the mechanical action of the basket is modified in at least one of reducing an angular speed of rotation of the mechanical action, altering a time between direction reversal of the mechanical action, altering an angular rotation of mechanical action, and duty cycling the mechanical action by intermittently pausing during any mechanical action portion of a cycle.

6. (Original) The clothes washer of claim 5 wherein in the energy savings mode the amount of change of the mechanical action is dependent on the level of signal received.

7. (Original) The clothes washer of claim 4 wherein in the energy savings mode the mechanical action is intermittent.

8. (Original) The clothes washer of claim 1 wherein in the energy savings mode the average power used by the heater assembly is reduced.

9. (Original) The clothes washer of claim 8 wherein the controller intermittently operates the heater assembly during the energy savings mode.

10. (Original) The clothes washer of claim 8 wherein in the energy savings mode an amount of change of an average power of the heater assembly is dependent on the level or duration of the signal received.

11. (Original) . The clothes washer of claim 1 wherein in the heater assembly is operatively associated with a water heating cycle of the clothes washer.

12. (Canceled).

13. (Original) A clothes washer comprising:
a housing;
a basket dimensioned to receive laundry items therein;
a motor received in the housing for imparting selective mechanical action to the basket;
an inlet adapted to selectively provide water to the basket;
an outlet adapted to selectively drain water from the basket;
a heater assembly for heating water supplied through the inlet; and

a controller operatively associated with the basket, inlet, outlet, and heater assembly for controlling operation of the clothes washer through various operating cycles, the controller adapted to receive and process a signal indicative of the cost of supplied energy, the controller operating the clothes washer in one of a plurality of operating modes including at least a normal mode and an energy savings mode and configured to modify a duty cycle of at least one of the heater assembly or movement of the basket in response to a signal representing the energy savings mode.

14. (Original) The clothes washer of claim 13 wherein one of the operating cycles is a water heating cycle and the controller operates the heater assembly at a lower average power for an extended period of time when compared to operating the heater assembly at a higher average power in the normal mode.

15. (Original) The clothes washer of claim 13 wherein the average wattage associated with movement of the drum is reduced during the energy savings mode.

16. (Original) The clothes washer of claim 13 wherein the controller increases a period of time in a particular operating cycle in response to a reduction in the average power consumption by either the basket or the heater assembly.

17. (Withdrawn) A method of operating a clothes washer having (i) a controller adapted to receive a signal indicative of the cost of a utility, the controller operating the clothes washer in one of a plurality of operating modes including at least a normal mode and an energy savings mode based on the received signal, (ii) a basket that selectively receives laundry articles placed in the clothes washer, and (iii) a heater assembly for raising a temperature of water introduced into the clothes washer in a selected cycle, the method comprising:

operating at least one of the heater assembly and movement of the basket at a reduced average power in the energy savings mode.

18. (Withdrawn) The method of claim 17 further comprising intermittently operating the heater assembly during the energy savings mode.

19. (Withdrawn) The method of claim 18 wherein a duration of on and off operations of the heater is dependent on the signal received.

20. (Withdrawn) The method of claim 17 further comprising intermittently moving the basket during the energy savings mode.


21. (Canceled).

22. (Withdrawn) The method of claim 17 further comprising reducing a rotational speed of the basket during the energy savings mode.

Respectfully submitted,

Fay Sharpe LLP

08 December 2011
Date


Timothy E. Nauman
Reg. No. 32,283
The Halle Building, 5th Floor
1228 Euclid Avenue
Cleveland, Ohio 44115-1843
216.363.9000

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	12/899,957	Filing date:	2010-10-07
First Named inventor:	TAKESHI NAKA, et al.		
Title of the Invention:	PRODUCTION METHOD OF MAGNETIC CARRIER AND MAGNETIC CARRIER PRODUCED THEREWITH		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBS/EF5_HELP.HTML](http://www.uspto.gov/ebs/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/003894

The international date of the corresponding PCT application(s) is/are: 2010-06-11

I. List of Required Documents:

a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)



Is attached.



Is not attached because the document is already in the U.S. application.

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).



Is attached.



Is not attached because the document is already in the U.S. application.

c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

Application No.:	12/899,957
First Named Inventor:	TAKESHI NAKA, et al.

☒ Have already been filed in the above-identified U.S. application on 2010-10-14

[illegible]

Registration Number 52,310

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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NEW YORK, NY 10104-3800

MAILED

JAN 11 2012

OFFICE OF PETITIONS

**In re Application of
Takeshi Naka, et al.**

Application No.: 12/899,957

Filed: October 7, 2010

Attorney Docket No.: 03500.178659.

**For: PRODUCTION METHOD OF
MAGNETIC CARRIER AND
MAGNETIC CARRIER PRODUCED
THEREWITH**

**: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 1 December 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

DISCUSSION

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to April M. Wise at 571-272-1642.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/dab/
David Bucci
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 241578-1	Application Number (if known): 12/899,986	Filing date: 10-07-2010
---	--	--------------------------------

First Named Inventor: **Jerrold Aaron Kappler**

Title: **CLOTHES WASHER DEMAND RESPONSE WITH AT LEAST ONE ADDITIONAL SPIN CYCLE**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **12/14/11**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jerrod Aaron Kappler)
Confirmation No.: 6892)
Serial No.: 12/899,986)
Filing Date: 10-07-2010)
Atty Docket No.: 241578-1)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

This disclosure relates to energy management, and more particularly to energy management of household consumer appliances. The present disclosure finds particular application to energy management of a clothes washer appliance, and is also referred to as a clothes washer demand response. (See [0002]).

Currently, utilities charge a flat rate. Increasing costs of fuel prices and high energy use during certain parts of the day make it highly likely that utilities will begin to require customers to pay a higher rate during peak demand. Accordingly, a potential cost savings is available to the homeowner by managing energy use of various household appliances, particularly during the peak demand periods. Thus, various responses are desired in an effort to reduce energy consumption and the associated cost. (See [0003]).

In one embodiment of the invention, a clothes washer is provided that includes a housing that receives a drum mounted for selected rotation relative to

the housing. A controller receives and processes a signal indicative of the current cost of supplied energy. The controller operates the clothes washer in one of a plurality of operating modes, including a normal mode and an energy savings mode, based on the received signal. The controller is configured to modify a spin profile of the drum in response to a signal representing the energy savings mode. (See [0005]).

In another embodiment, a method of operating a clothes washer includes a controller adapted to receive and process a signal indicative of the current cost of supplied energy, and in response, operating the clothes washer in a normal mode or an energy savings mode based on the received signal. The controller modifies operation of the drum that either spins or tumbles/agitates, while the controller adds at least one additional spin cycle in the energy savings mode to reduce remaining moisture content in the laundry load. This allows the less moisture to be heat dried out of the load when placed into the dryer. Thus, the overall energy required to wash and dry the load is less since the washer is more efficient in extracting water from the load than the dryer. (See [0009]).

The present disclosure reduces the average power used by the clothes washer during peak pricing times, and/or reduces overall average power used by the clothes washer and dryer during peak pricing times. Furthermore, the present arrangement saves on costs, and adds convenience and flexibility for the consumer to deal with pricing events. (See [0011]-[0012]).

Accordingly, Applicant respectfully submits that Special Status is sought on the basis that the embodiments disclosed in the present application materially contribute to the more efficient utilization and conservation of energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: December 14, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/899,986	10/07/2010	Jerrold Aaron Kappler	241578-1(GECZ 201082US03)	6892
27885	7590	12/23/2011	EXAMINER	
FAY SHARPE LLP 1228 Euclid Avenue, 5th Floor The Halle Building Cleveland, OH 44115			PERRIN, JOSEPH L	
			ART UNIT	PAPER NUMBER
			1711	
			MAIL DATE	DELIVERY MODE
			12/23/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

12/23/2011

In re Application of	:	
Jerrold A. Kappler	:	DECISION ON PETITION
Application No. 12/899,986	:	TO MAKE SPECIAL UNDER
Filed: October 07, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 241578-1(GECZ201082US03)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 14, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010), 75 Federal Register Notice 69049 (November 10, 2010) and 76 Federal Register Notice 77979 (December 15, 2011).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,008	10/07/2010	Barton John KENYON	PTB-4398-1089	6931

23117 7590 11/01/2010
NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER

ART UNIT	PAPER NUMBER
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3771

MAIL DATE	DELIVERY MODE
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11/01/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON VA 22203

In re Application of	:	
KENYON, BARTON JOHN et al	:	DECISION ON REQUEST TO
Application No. 12/900,008	:	PARTICIPATE IN PATENT
Filed: Oct.7, 2010	:	PROSECUTION HIGHWAY
Attorney Docket No. PTB-4398-1089	:	PILOT PROGRAM AND PETITION
For: BREATHABLE GAS APPARATUS	:	TO MAKE SPECIAL UNDER
WITH HUMIDIFIER	:	37 CFR 1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program under 37 CFR 1.102(d), filed October 7, 2010, to make the above-identified application special.

The request and petition are DISMISSED.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the IPAU;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the IPAU application(s);
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the IPAU application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the IPAU application(s) containing the allowable/patentable claim(s); and
- (6) Applicant must submit an IDS listing the documents cited by the IPAU examiner in the IPAU office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition met all conditions except Item #6 above. The request to participate in the PPH pilot program and the petition fail to provide a copy

of foreign patent documents, GB2293325, WO 2002/0066107, DE 10016005 and DE 29909611 cited by the Australian examiner.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

Petition is **dismissed**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,008	10/07/2010	Barton John KENYON	PTB-4398-1089	6931
23117 7590 11/29/2010 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
ART UNIT		PAPER NUMBER		
3771				
MAIL DATE		DELIVERY MODE		
11/29/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON VA 22203

In re Application of	:	
KENYON, BARTON JOHN et al	:	DECISION ON REQUEST TO
Application No. 12/900,008	:	PARTICIPATE IN PATENT
Filed: Oct.7, 2010	:	PROSECUTION HIGHWAY
Attorney Docket No. PTB-4398-1089	:	PILOT PROGRAM AND PETITION
For: BREATHABLE GAS APPARATUS	:	TO MAKE SPECIAL UNDER
WITH HUMIDIFIER	:	37 CFR 1.102(d)

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) pilot program under 37 CFR 1.102(d), filed Nov. 24, 2010, to make the above-identified application special.

The request and petition are granted.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the IPAU;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the IPAU application(s);
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the IPAU application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the IPAU application(s) containing the allowable/patentable claim(s); and
- (6) Applicant must submit an IDS listing the documents cited by the IPAU examiner in the IPAU office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition comply with the above requirements. This is to acknowledge the receipt of a list of IPAU allowed claims which correspond to the US claims. IDS listing the documents cited by the Australian examiner in the IPAU office along with copies of documents are also received. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

All other inquiries concerning the examination or status of the application should be directed to the Supervisory Patent Examiner, Justine Yu at 571-272-4835.

This application will be being forwarded to the examiner for action on the merits commensurate with this decision.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,009	10/07/2010	Jason DeSantis	3631/101	6933
2101 7590 11/19/2010 Sunstein Kann Murphy & Timbers LLP 125 SUMMER STREET BOSTON, MA 02110-1618			EXAMINER	
			ART UNIT	PAPER NUMBER
			3632	
			NOTIFICATION DATE	DELIVERY MODE
			11/19/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATENTS@SUNSTEINLAW.COM



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NOV 19 2010

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Sunstein Kann Murphy & Timbers LLP
125 Summer Street
Boston, MA 02110-1618

In re application of	:	
DeSantis et al.	:	
Application No. 12/900,009	:	DECISION ON PETITION
Filed: October 7, 2010	:	TO MAKE SPECIAL FOR
For: AUTOMATIC TILTING OIL SKIMMER	:	NEW APPLICATION
FRAME	:	UNDER 37 CFR 1.102

This is a decision on the petition filed on November 15, 2010 to make the above-identified application special for enhancing the quality of the environment under 37 C.F.R. § 1.102(c) which is hereby treated as filed under 37 C.F.R. § 1.102(d)

The petition to make the application special is **DENIED**.

REGULATION AND PRACTICE

To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), the following conditions must be satisfied:

1. The application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. The application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
3. The application, at the time of filing, must be complete under 37 CFR 1.51 and in condition for examination;
4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination", 71 Fed. Reg. 36,323 (Jun. 26, 2006)

The relevant portions of the Accelerated Examination Notice are as follows (emphasis added):

Supplementary Information:

...

The USPTO is revising its procedures for applications made special under the accelerated examination program with the goal of completing examination within twelve months of the filing date of the application.

The USPTO is similarly revising the procedures for other petitions to make special, except those based on applicant's health or age or the PPH pilot program. Specifically, other petitions to make special (*i.e.*, petitions based on: manufacture, infringement, **environmental quality**, energy, recombinant DNA, superconductivity materials, HIV/AIDS and cancer, countering terrorism, and biotechnology applications filed by small entities (*see* MPEP § 708.02)) will be processed and examined using the revised procedure for accelerated examination. Thus, all petitions to make special, except those based on applicant's health or age or the PPH pilot program, will be required to comply with the requirements of petitions to make special under the accelerated examination program that are set forth in this notice.

Any petition to make special, other than those based on applicant's health or age or the PPH pilot program, **filed on or after the effective date must meet the requirements set forth in this notice.**

A petition to make special filed after the effective date will only be granted if it is based upon applicant's health or age or is under the PPH pilot program, or if it complies with the requirements set forth in this notice.

...

Part I. Requirements for Petitions to Make Special under Accelerated Examination: A new application may be granted accelerated examination status under the following conditions:

- (1) The application **must be filed with a petition** to make special under the accelerated examination program accompanied by either the fee set forth in 37 CFR 1.17(h) or a statement that the claimed subject matter is directed to environmental quality, energy, or countering terrorism.

Decision

The petition to make special for enhancing the quality of the environment under 37 C.F.R. § 1.102(d) is not acceptable at least because it was not filed with the application as required in the above Federal Register Notice of June 26, 2006. It appears that the

petition was filed under the guidelines for making an application special that were in effect prior to August 25, 2006. As of August 25, 2006 the new guidelines replaced the old guidelines. Since applicant's petition was received on November 15, 2010, the petition must be considered under the new guidelines and thus is properly **DENIED**.

For the above-stated reasons, the petition is denied. The application will therefore be taken up by the examiner for action in its regular turn.

Any inquiry regarding this decision should be directed to Teri P. Luu, Quality Assurance Specialist, at (571) 272-7045.

/Teri P. Luu/
Teri P. Luu,
Quality Assurance Specialist
Technology Center 3600

TL/tl: 11/18/10



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OFFICE OF PETITIONS

SCHLUMBERGER INFORMATION SOLUTIONS
5599 SAN FELIPE
SUITE 1700
HOUSTON TX 77056-2722

In re Application of	:	
Heggelund, et al.	:	
Application No. 12/900,048	:	DECISION ACCORDING STATUS
Filed: October 7, 2010	:	UNDER 37 CFR 1.47(a)
Attorney Docket No. 97.0029 NP	:	

This is in response to the petition under 37 CFR 1.47(a), filed December 20, 2010.

The petition under 37 CFR 1.47(a) is **GRANTED**.

Rule 47 applicant has demonstrated that inventor Heggelund has refused to sign the declaration after having been presented with the application papers.

The petition and declaration have been reviewed and determined to be in compliance with 37 CFR 1.47(a).

The application is hereby accorded Rule 47 status.

As provided in 37 CFR 1.47(c), the Office will provide notice of this application's filing to the non-signing inventor at the address provided in the declaration. Notice will also be provided in the Official Gazette.

Application No. 12/900,048

Page 2

The \$200 petition fee has been charged to Deposit Account No. 07-1078, as authorized.

The application is being forwarded to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.

A handwritten signature in black ink, appearing to read 'Cliff Congo', with a stylized flourish at the end.

Cliff Congo
Petitions Attorney
Office of Petitions



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DAG HEGGELUND
12723 TIMBERLAND TRACE
HOUSTON TX 77065

MAILED
FEB 04 2011
OFFICE OF PETITIONS

In re Application of :
Heggelund, et al. :
Application No. 12/900,048 :
Filed: October 7, 2010 : **LETTER**
Title: Data Subscription :

Dear Mr. Heggelund:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Cliff Congo at (571)272-3207. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Cliff Congo
Petitions Attorney
Office of Petitions



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Decision Date : February 15, 2012

In re Application of :

Chiyo ONO

DECISION ON PETITION

UNDER CFR 1.313(c)(2)

Application No : 12900091

Filed : 07-Oct-2010

Attorney Docket No : 062758-0282

This is an electronic decision on the petition under 37 CFR 1.313(c)(2), filed February 15, 2012, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid in this application cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

This application file is being referred to Technology Center AU 2436 for processing of the request for continuing examination under 37 CFR 1.114.

Office of Petitions

Doc Code: PET.AUTO Document Description: Petition automatically granted by EFS-Web		PTO/SB/140 U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	PETITION TO WITHDRAW AN APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE UNDER 37 CFR 1.313(c)	
Application Number	12900091	
Filing Date	07-Oct-2010	
First Named Inventor	Chiyo ONO	
Art Unit	2436	
Examiner Name	OSCAR LOUIE	
Attorney Docket Number	062758-0282	
Title	CONTENTS TRANSMITTER APPARATUS, CONTENTS RECEIVER APPARATUS AND CONTENTS TRANSMITTING METHOD	
<p>An application may be withdrawn from issue for further action upon petition by the applicant. To request that the Office withdraw an application from issue, applicant must file a petition under this section including the fee set forth in § 1.17(h) and a showing of good and sufficient reasons why withdrawal of the application from issue is necessary.</p> <p>APPLICANT HEREBY PETITIONS TO WITHDRAW THIS APPLICATION FROM ISSUE UNDER 37 CFR 1.313(c).</p> <p>A grantable petition requires the following items:</p> <p>(1) Petition fee; and</p> <p>(2) One of the following reasons:</p> <p>(a) Unpatentability of one or more claims, which must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;</p> <p>(b) Consideration of a request for continued examination in compliance with § 1.114 (for a utility or plant application only); or</p> <p>(c) Express abandonment of the application. Such express abandonment may be in favor of a continuing application, but not a CPA under 37 CFR 1.53(d).</p>		
<p>Petition Fee</p> <p><input type="checkbox"/> Applicant claims SMALL ENTITY status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).</p> <p><input type="checkbox"/> Applicant(s) status remains as SMALL ENTITY.</p> <p><input checked="" type="checkbox"/> Applicant(s) status remains as other than SMALL ENTITY</p>		
Reason for withdrawal from issue		

- ☐ One or more claims are unpatentable
- ☒ Consideration of a request for continued examination (RCE) (List of Required Documents and Fees)
- ☐ Applicant hereby expressly abandons the instant application (any attorney/agent signing for this reason must have power of attorney pursuant to 37 CFR 1.32(b)).

RCE request, submission, and fee.

- ☐ I certify, in accordance with 37 CFR 1.4(d)(4) that:
- ☐ The RCE request, submission, and fee have already been filed in the above-identified application on
- ☒ Are attached.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

- ☒ An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.
- ☐ An attorney or agent registered to practice before the Patent and Trademark Office, acting in a representative capacity.
- ☐ A sole inventor
- ☐ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors
- ☐ A joint inventor; all of whom are signing this e-petition
- ☐ The assignee of record of the entire interest that has properly made itself of record pursuant to 37 CFR 3.71

Signature	/Keith E. George/
Name	Keith E. George
Registration Number	34111



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,127	10/07/2010	Gilad LAVI	094240-0105	7166
22428 7590 01/04/2011 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			EXAMINER HOEKSTRA, JEFFREY GERBEN	
			ART UNIT 3736	PAPER NUMBER
			MAIL DATE 01/04/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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1/4/2011

CST

In re application of
Gilad Lavi
Serial No. 12/900,127
Filed: October 7, 2010
For: KIT FOR SEPARATION OF
BIOLOGICAL FLUIDS

DECISION ON PETITION
TO MAKE SPECIAL

This is a decision on the petition filed on October 7, 2010 to make the above-identified application special under the accelerated examination program.

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any dependent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview;
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner;
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
 - 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;
 - 5.3. encompass the disclosed features that may be claimed.
6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
- 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
- 6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
- 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
- 6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;
- 6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions regarding the application (section I, subsections 1-4) discussed above are considered to have been met. Additionally, the conditions regarding the petition, section II, subsections 1-4 are considered to have been met. However, the petition fails to comply with condition II, subsections 5 and 6.

It appears that the search is incomplete. Note that a search in Class 422, subclasses 61, 100, 101 and 103 (newly reclassified to Class 422/subclasses 501, 516, 521, 544 and 546) is also required, as well as a search in Class 73/subclasses 863.83 – 863.86, 864.15 – 864.17, 864.34 – 864.35, 864.62 – 864.63, 864.91.

Applicant has provided two Information Disclosure Statements (IDS) on filing. From a review of the Accelerated Examination Application Transmittal, it appears that only the 1 page IDS listing 2 PreGrant Publications is in support of the petition to make special. However, on page 2 of the Pre-Examination Search Document, various documents are listed as relevant. Only 2 of the references listed on page 2 of the search document have been listed in the 1 page IDS. The 2 page IDS includes those references listed on page 2 of the search document along with various additional references.

It is suggested that applicant clarify whether those references identified on page 2 of the Pre-Examination Search Document are in support of the petition to make special. If so, note that there is a presumption that each of the cited references is considered most relevant to the claimed invention and that an identification of where all of the limitations in the claims that are disclosed in the references is required.

Applicant is encouraged to review the Frequently Asked Questions concerning the Accelerated Examination Program posted on www.uspto.gov. Specifically, note the question and answer reproduced below:

IDS 3. Will the Office accept an accelerated examination support document (AESD) that contains a list of references in the information disclosure statement (IDS) of the AESD, but does not include any identification and explanation for those references that are not required to be submitted in the IDS of the AESD (*i.e.*, references that are not most closely related to the subject matter of each of the claims)?

No, the AESD will be deemed insufficient for lack of identification and explanation. The applicant will be notified of the defects and the application will remain in the status of a new application awaiting action in its regular turn. The applicant will be given a time period of one month, without any extension of time under 37 CFR §1.136(a), to perfect the petition.

If applicant wishes to cite references that are not required in an AESD for the examiner to consider, applicant may submit such references in a separate IDS in compliance with 37 CFR §1.97 and §1.98. Applicant should clearly identify the IDS of the AESD that is in support of the petition to make special and, similarly, applicant should clearly identify the separate IDS that is

Application No. 12/900,127

not in support of the petition. Consistent with 37 CFR §10.18, any reference submitted in a separate IDS that is not part of an AESD will be treated as a representation by applicant to the USPTO that no reference submitted in the separate IDS is deemed closer to the subject matter of at least one claim than the references provided in the AESD.

Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

DECISION

For the above-stated reasons, the petition is dismissed. The application will therefore be taken up by the examiner in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,127	10/07/2010	Gilad LAVI	094240-0105	7166
22428	7590	02/16/2011		
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			EXAMINER HOEKSTRA, JEFFREY GERBEN	
			ART UNIT 3736	PAPER NUMBER
			MAIL DATE 02/16/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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2/16/2011

CST

In re application of
Gilad Lavi
Serial No. 12/900,127
Filed: October 7, 2010
For: KIT FOR SEPARATION OF
BIOLOGICAL FLUIDS

DECISION ON PETITION
TO MAKE SPECIAL

This is a decision on the Request for Reconsideration of Petition to Make Special under the Accelerated Examination Program filed on January 26, 2011 to make the above-identified application special.

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,150	10/07/2010	Takuya NAKAZONO	5070-0006	7205
22429	7590	03/03/2011	EXAMINER	
LOWE HAUPTMAN HAM & BERNER, LLP 1700 DIAGONAL ROAD SUITE 300 ALEXANDRIA, VA 22314			ART UNIT	PAPER NUMBER
			1788	
			MAIL DATE	DELIVERY MODE
			03/03/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Alexandria, VA 22313-1450
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MAR 3 2011

CST

In re application of	:	DECISION ON REQUEST TO
Takuya Nakazono et al	:	PARTICIPATE IN PATENT
Serial No. 12/900,150	:	PROSECUTION HIGHWAY
Filed: October 7, 2010	:	PROGRAM AND
For: ROLL OF CONTINUOUS WEB OF	:	PETITION TO MAKE SPECIAL
OPTICAL FILM LAMINATE WITH	:	UNDER 37 CFR 1.102(a)
PREDEFINED SLIT LINES	:	

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program filed December 16, 2010.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

(2) Applicant must submit a copy of:

- a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
- b. An English translation of the allowable/ patentable claim(s), if applicable; and
- c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:

- a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
- b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:

- a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
 - ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form:
Further, if a copy of the documents from a or b is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy;
- b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and
- c. A statement that the English translation is accurate; and

(6) Applicant must submit:

- a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
- b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700



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www.uspto.gov

MCGUIREWOODS, LLP
1750 TYSONS BLVD
SUITE 1800
MCLEAN VA 22102

MAILED

MAR 22 2012

OFFICE OF PETITIONS

In re Application of
Hillyer et al.
Application No. 12/900,188
Filed: October 7, 2010
Attorney Docket No. 2053710-5002US
For: POWER TAKE-OFF

ON PETITION

This is a decision on the petition under 37 CFR 1.182, filed February 15, 2012, requesting a change in the order of inventors.

The petition is **GRANTED**.

The order of inventors will be:

ROLAND CABRERA
HAROLD G. HILLYER

A replacement filing receipt is enclosed.

The Office acknowledges receipt of the \$400.00 petition fee.

After the mailing of this decision, the application file will be returned to Technology Center AU 3656 for examination in due course.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley
Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions

enclosure: replacement filing receipt



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
12/900,188	10/07/2010	3656	1220	2053710-5002US	20	2

CONFIRMATION NO. 7292

REPLACEMENT FILING RECEIPT



OC000000053225100

23345
MCGUIREWOODS, LLP
1750 TYSONS BLVD
SUITE 1800
MCLEAN, VA 22102

Date Mailed: 03/20/2012

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Roland Cabrera, Seven Hills, AUSTRALIA;
Harold G. Hillyer, Pain City, OH;

Assignment For Published Patent Application

Hydreco, Charlotte, NC

Power of Attorney: The patent practitioners associated with Customer Number 23345

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/249,306 10/07/2009

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.)

If Required, Foreign Filing License Granted: 10/20/2010

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/900,188**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

POWER TAKE-OFF

Preliminary Class

074

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **09439/006002** Application Number (if known): **12/900,209** Filing date: **October 7, 2010**

First Named Inventor: **Adrian Jose Nunez**

Title: **A Tubular Joint Having Wedge Threads With Surface Coating**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Preliminary Amendment, Statement of Eligibility

Signature

Date **July 28, 2011**

Name (Print/Typed) **Jeffrey S. Bergman**

Registration Number **45,925**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.



*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: 09439/006002
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Adrian Jose Nunez

Application No.: 12/900,209

Confirmation No.: 7332

Filed: October 7, 2010

Art Unit: 3679

For: A TUBULAR JOINT HAVING WEDGE
THREADS WITH SURFACE COATING

Examiner: Not Yet Assigned

**STATEMENT OF ELIGIBILITY FOR PETITION TO MAKE SPECIAL UNDER THE
GREEN TECHNOLOGY PILOT PROGRAM**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In partial fulfillment of the requirements for the Petition to Make Special Under the Green Technology Pilot Program, enclosed herewith is a Statement of Eligibility.

As stated in the Federal Register, a patent application is eligible for the Green Technology Pilot Program if:

1. The application is a non-reissue, non-provisional utility application filed under 35 USC 111(a) or an international application that has entered the national stage in compliance with national stage 35 USC 371, irrespective of the filing date of the application;
2. The application contains three or fewer independent claims and twenty or fewer total claims, and no multiply dependent claims, and which may be accompanied by a preliminary amendment to cancel excess claims and/or multiple dependent claims at the time the petition to make special is filed;
3. The claims are directed to a single invention that materially enhances the quality of the environment by contributing to the restoration or maintenance of the basic life-sustaining natural elements, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) greenhouse gas emission reduction; and applicant agrees to telephonic restriction without traverse should the examiner find more than one invention;
4. The petition to make special is electronically filed;
5. The petition to make special is filed at least one day prior to the date that a first Office Action appears in the PAIR system;
6. The petition to make special is accompanied by a request for early publication and the publication fee.

The present application meets the eligibility requirements:

1. **The application is a non-reissue, non-provisional utility application filed under 35 USC 111(a) or an international application that has entered the national stage in compliance with national stage 35 USC 371.**

The present application is a non-reissue, non-provisional utility application filed under 35 USC 111(a). The application was filed on October 7, 2010.

2. **The application contains three or fewer independent claims and twenty or fewer total claims, and no multiply dependent claims, which may be accompanied by preliminary amendment to cancel excess claims and/or multiple dependent claims at the time the petition to make special is filed:**

The presently amended application contains 20 claims and no more than 3 independent claims, with no multiple dependent claims. See copy of Preliminary Amendment, attached to this petition.

3. The claims are directed to a single invention that materially enhances the quality of the environment by contributing to the restoration or maintenance of the basic life-sustaining natural elements.

The claimed subject matter is directed to a single invention that materially enhances the quality of the environment by contributing to the maintenance of basic life-sustaining natural elements of deepwater environments. The thread surface coatings of the invention of the instant application provide improved anti-galling and seizure resistance characteristics. In light of the recent Deepwater Horizon oil spill, which devastated vast regions of the Gulf of Mexico and adjoining coastlines, a revived and increased awareness of the importance of using reliable deepwater technologies has arisen. This awareness has prompted further innovation of safer methods and equipment, such as the coated tubular connections of the instant application, to be used when drilling in environmentally sensitive regions. President Obama, in remarks delivered shortly after the disaster, noted that “one of the lessons we’ve learned from this spill is that we need better regulations, *better safety standards*, and better enforcement when it comes to offshore drilling.” (President Barack Obama, Address to the Nation on the BP Oil Spill, June 15, 2010). The thread surface coatings of the instant application provide the improved industry safety standards called for to prevent a similar environmental catastrophe.

Threaded connection seals between adjoined tubulars are the critical regions of the drillstring or production string, and are most susceptible to leakage. Any fluid leakage from the threaded connections is immediately exposed to the surrounding environment, which due to the depths at which many deepwater drilling operations are carried out, may be a remote location which is not easily accessible in the event of a fluid leak. Thus, the thread seals must be designed to the highest standards possible to prevent fluid leaks from occurring in the first place. As identified by

the invention of the instant application, a number of advantages are provided by the solid lubricant coating applied to threaded connections of the instant application.

The surface coating of the invention of the instant application provides lubricant characteristics for the threaded connection by eliminating metal on metal contact during make-up of the threaded connections. Make-up refers to engaging a pin member into a box member and threading the members together through torque and rotation. Metal to metal contact during make-up may lead to galling in which the thread seal surfaces may be deformed and become incapable of providing sufficient thread seals to prevent fluid leakage. Fluid leakage in a threaded connection in a remote deepwater environment may irreparably harm the deepwater environment as well as lead to further catastrophe. Thus, the surface coating improves the sealing characteristics of the threaded connection and decreases chances of damage to the thread seals to provide reliable threaded connections.

In addition, the surface coating of the invention of the instant application is environmentally friendly and does not contain any potentially contaminating elements. Thus, the surface coating not only prevents harmful hydrocarbon fluid leakage into deepwater environments, but the coating itself is also “eco-friendly.” For the reasons given above, the thread surface coatings of the instant application will materially enhance maintenance of basic life-sustaining natural elements.

Moreover, as stated in the petition, should the USPTO determine that the claims are directed to multiple inventions, applications hereby agree to make an election without traverse in a telephonic interview and elect an invention without traverse.

4. The petition to make special is electronically filed.

Application No.: 12/900,209

Docket No.: 09439/006002

The petition has been electronically filed herewith.

- 5. The petition to make special is filed at least one day prior to the date that a first Office Action appears in PAIR.**

At the time of filing of this petition no Office Action appears in PAIR system for this application.

- 6. The petition to make special is accompanied by a request for early publication and the publication fee.**

The application has been published as US Publication No. 2011/0084483.

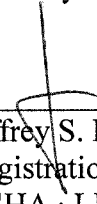
Application No.: 12/900,209

Docket No.: 09439/006002

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0591, under Reference No. 09439/006002.

Dated: July 28, 2011

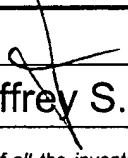
Respectfully submitted,

By 
Jeffrey S. Bergman
Registration No.: 45,925
OSHA · LIANG LLP
909 Fannin Street, Suite 3500
Houston, Texas 77010
(713) 228-8600

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM		
Attorney Docket Number: 09439/006002	Application Number (if known): 12/900,209	Filing date: October 7, 2010
First Named Inventor: Adrian Jose Nunez		
Title: A Tubular Joint Having Wedge Threads With Surface Coating		
APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition: <u>Applicant is requesting early publication:</u> Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.		
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.		
3. This request is accompanied by statements of special status for the eligibility requirement.		
4. The application contains no more than three (3) independent claims and twenty (20) total claims.		
5. The application does not contain any multiple dependent claims.		
6. Other attachments: Preliminary Amendment, Statement of Eligibility		
Signature 	Date July 28, 2011	
Name (Print/Typed) Jeffrey S. Bergman	Registration Number 45,925	
Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.		
<input type="checkbox"/> *Total of _____ forms are submitted.		

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/01/2011 SDIRETA1 00000001 500591 12900209
01 FC:1504 300.00 DA


Application No.: 12/900,209

Docket No.: 09439/006002

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0591, under Reference No. 09439/006002.

Dated: July 28, 2011

Respectfully submitted,

By 
Jeffrey S. Bergman
Registration No.: 45,925
OSHA · LIANG LLP
909 Fannin Street, Suite 3500
Houston, Texas 77010
(713) 228-8600



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,209	10/07/2010	Adrian Jose Nunez	09439/006002	7332
22511	7590	09/16/2011	EXAMINER	
OSHA LIANG L.L.P. TWO HOUSTON CENTER 909 FANNIN, SUITE 3500 HOUSTON, TX 77010			HEWITT, JAMES M	
			ART UNIT	PAPER NUMBER
			3679	
			NOTIFICATION DATE	DELIVERY MODE
			09/16/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com
hathaway@oshaliang.com
kennedy@oshaliang.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SEP 15 2011

OSHA LIANG L.L.P.
TWO HOUSTON CENTER
909 FANNIN, SUITE 3500
HOUSTON TX 77010

In re Application of	:	
ADRIAN NUNEZ.	:	DECISION ON PETITION
Application No. 12/900,209	:	TO MAKE SPECIAL UNDER
Filed: October 7, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 09439/006002	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 28, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

As set forth at numeral 8 in the Requirements section of the Notice, the petition to make special must be accompanied by a request for early publication and the publication fee set forth in 37 CFR 1.18(d). Petitioner's deposit account has been charged the \$300 early publication fee in accordance with this notice. Payment is needed even if the application is already published.

The petition lacks item 4.

In regard to item 4, there is no evidence in the instant application that the claimed threaded joint for pipes and method enhances the quality of the environment or contributes to the maintenance of basic life-sustaining natural elements. The claimed threaded joint and method are not necessarily used in drilling operations. Threaded connection seals/lubricants may enhance the connection between the pipes by creating a tight seal to minimize damage to the pipes and improve the safety of the connection, but a seal or a lubricant does not enhance the quality of the environment. Petitioner's comments regarding the Deepwater Horizon oil spill have been considered but not found persuasive -- the oil spill was caused by natural gas buildup forced its way up the well bore and onto the rig platform and a malfunctioned blowout preventer, not the tubular connections. Petitioner's assertion of the enhancement of the quality of the environment by the claimed threaded joint and method is merely speculation. As stated in the notice, the materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner than could materially contribute to category (A) or (B). *Also see MPEP § 708.02 (VI)*. Accordingly, it is not agreed that the application on its face meets that materiality standard.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3679 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600



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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
WWW.USPTO.GOV

Paper No.

EDWIN D. SCHINDLER
4 HIGH OAKS COURT
P.O. BOX 4259
HUNTINGTON NY 11743-0777

MAILED

MAR 14 2011

In re Application of	:	OFFICE OF PETITIONS
Roddis and Taheri-Oskouei	:	
Application No. 12/900,267	:	DECISION ON PETITION
Filed: October 7, 2010	:	PURSUANT TO
Title: FLOW INDUCING RING FOR A	:	37 C.F.R. § 1.47(A)
MECHANICAL SEAL	:	

This is in response to the petition pursuant to 37 C.F.R. § 1.47(a), filed on December 22, 2010.

This petition is **DISMISSED**.

On October 7, 2010, this application was filed, identifying Roddis and Taheri-Oskouei as joint inventors. No oath or declaration was included on filing. On October 22, 2010, a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" (notice) was mailed, requiring, *inter alia*, a fully executed oath or declaration. The notice set a two-month period for response.

On December 22, 2010, Petitioner submitted this petition in response to the notice, along with, *inter alia*, the fee that is associated with the late submission of an oath or declaration, a declaration that has been executed by joint inventor Roddis, the petition fee, and the last-known address of the non-signing inventor.¹

A grantable petition pursuant to 37 C.F.R. § 1.47(a) requires:

- (1) the petition fee of \$200;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application, as set forth in 37 C.F.R. § 1.16(f);
- (3) a statement of the last known address of the non-signing inventor;

¹ See petition, page 3.

- (4) either
 - a) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor for review and proof that the non-signing inventor refuses to join in the application or
 - b) proof that the non-signing inventor cannot be found or reached after diligent effort, and;
- (5) a declaration which complies with 37 C.F.R. § 1.63.

Petitioner has met requirements (1) - (3) of 37 C.F.R. § 1.47(a). Requirements (4) and (5) have not been satisfied, as will now be pointed out.

Regarding the fourth requirement above, the record does not support a finding that a complete copy of the application was sent to the last-known residential addresses of the non-signing inventor. The cover letter which accompanied the mailing of November 9, 2010 (included with this petition and labeled "Exhibit C") indicates that only the declaration, a power of attorney, and an assignment were included therewith. As such, it does not appear that a complete copy of the application was sent to the last known address of the non-signing inventor. Where a refusal of the inventor to sign the application papers is alleged, the Office requires the petitioner to establish that a bona fide attempt was made to mail a complete copy of the application, which entails the specification, claims, drawings, and oath or declaration.² As no mention has been made of any presentation of the application to the non-signing joint inventor, the fourth requirement has not been met.

It is noted in passing that Petitioner has indicated that "documents" were sent to the non-signing inventor via e-mail,³ however the petition is silent as to what these documents might have been. Petitioner has included a copy of the electronic delivery confirmation that is associated with this e-mail (labeled "Exhibit D"), but a copy of the actual e-mail itself has not been located in the electronic file.

It follows that since it has not been shown that a complete copy of the application was sent to the non-signing

² See MPEP § 409.03(d).

³ Petition, page 3.

inventor, one cannot refuse to sign something which one has not seen. A refusal by an inventor to sign an oath or declaration when the inventor has not been presented with the application papers does not itself suggest that the inventor is refusing to join the application unless it is clear that the inventor understands exactly what he or she is being asked to sign and refuses to accept the application papers. It is reasonable to require that the inventor be presented with the application papers before a petition under Rule 1.47 is granted since such a procedure ensures that the inventor is apprised of the application to which the oath or declaration is directed.⁴

Before filing the renewed petition, Petitioner should mail a complete paper⁵ copy of the application to the last known residential address of the non-signing joint inventor, and provide him with a reasonable period of time to respond. Petitioner should note that any statement that pertains to the presentation should be made by one having firsthand knowledge of the event. Statements based on hearsay are not normally accepted.

Any response to this decision must be submitted within **TWO MONTHS** from the mail date of this decision. Extensions of time under 37 C.F.R. § 1.136(a) are permitted. The reply should include a cover letter entitled "Renewed Petition pursuant to 37 C.F.R. § 1.47(a)". This is not a final agency action within the meaning of 5 U.S.C § 704.

Any response to this decision should indicate in a prominent manner that the attorney handling this matter is Paul Shanowski, and may be submitted by mail,⁶ hand-delivery,⁷ or facsimile.⁸ Registered users of EFS-Web may alternatively submit a response to this decision via EFS-Web.⁹

⁴ In re Gray, 115 USPQ 80 (Comm'r Pat. 1956).

⁵ The transmission of documents via Email, while a common practice, can be problematic. Transmission and receipt of documents-whether in image, word-processing, spreadsheet or other form-can be affected by differences in software generation between the sender and recipient(s), and other interferences include but are not limited to sender's and recipient's Internet service provider's (ISP) and/or office/personal security firewall systems. Thus, in the absence of an express statement from a non-signing inventor(s) that he/she/they have received, opened and read a document, unlike a printed page in the language of the recipient there is as of this writing no basis to presume that an e-mailed document was in a form that can be read and comprehended.

⁶ Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

⁷ Customer Window, Randolph Building, 401 Dulaney Street, Alexandria, VA, 22314.

⁸ (571) 273-8300- please note this is a central facsimile number.

⁹ <https://sportal.uspto.gov/authenticate/authenticateuserlocalepf.html>

If responding by mail, Petitioner is advised not to place the undersigned's name on the envelope. Only the information that appears in the footnote should be included - adding anything else to the address will delay the delivery of the response to the undersigned.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225.¹⁰

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

¹⁰ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any of Petitioner's further action(s).



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Paper No.

EDWIN D. SCHINDLER
4 HIGH OAKS COURT
P.O. BOX 4259
HUNTINGTON NY 11743-0777

MAILED
JUN 03 2011
OFFICE OF PETITIONS

In re Application of	:	
Roddiss and Taheri-Oskouei	:	DECISION NOTING JOINDER AND
Application No. 12/900,267	:	DISMISSING RENEWED PETITION
Filed: October 7, 2010	:	PURSUANT TO 37 C.F.R.
Title: FLOW INDUCING RING FOR A	:	\$ 1.47(A) AS MOOT
MECHANICAL SEAL	:	

This is in response to the renewed petition pursuant to 37 C.F.R. § 1.47(a), filed on May 16, 2011.

The concurrently submitted Power of Attorney has not been entered, as it has been executed by only one of the two joint inventors,¹ and a Power of Attorney that has been executed by the remaining joint inventor has not been located in the electronic file.

On October 7, 2010, this application was filed, identifying Roddiss and Taheri-Oskouei as joint inventors. No oath or declaration was included on filing. On October 22, 2010, a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" (notice) was mailed, requiring, *inter alia*, a fully executed oath or declaration. The notice set a two-month period for response.

A grantable petition pursuant to 37 C.F.R. § 1.47(a) requires:

- (1) the petition fee of \$200;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application, as set forth in 37 C.F.R. § 1.16(f);
- (3) a statement of the last known address of the non-signing inventor;
- (4) either
 - a) proof that a copy of the entire

¹ See 37 C.F.R. §§ 1.32(b)(4) and 1.41(b).

Decision on renewed petition pursuant to 37 C.F.R. § 1.47(a)

- application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor for review and proof that the non-signing inventor refuses to join in the application or
- b) proof that the non-signing inventor cannot be found or reached after diligent effort, and;
- (5) a declaration which complies with 37 C.F.R. § 1.63.

On December 22, 2010, Petitioner submitted an original petition pursuant to 37 C.F.R. § 1.47(a) in response to the notice, which was dismissed via the mailing of a decision on March 14, 2011, which indicated that requirements (1) - (3) of 37 C.F.R. § 1.47(a) had been satisfied.

With this renewed petition,² Petitioner has submitted a declaration that has been properly executed by formerly non-signing joint inventor Taheri-Oskouei.

As such, this renewed petition is **DISMISSED AS MOOT**.

In view of the joinder of the joint inventor, further consideration under 37 C.F.R. § 1.47(a) is not necessary and the petition is considered moot. This application does not have any Rule 1.47(a) status and no such status should appear on the file wrapper. **This application need not be returned to this Office for further consideration under 37 CFR § 1.47(a).**

The Office of Patent Application Processing (OPAP) will be notified of this decision, and jurisdiction over the application is transferred to OPAP, so that the application may receive further processing.

Petitioner will receive appropriate notifications regarding the fees owed, if any, and other information in due course from OPAP.

The general phone number for OPAP is 571-272-4000. Telephone

² It is noted that May 14, 2011 fell on a Saturday.

inquiries **regarding this decision** should be directed to the undersigned at (571) 272-3225.³

/Paul Shanowski/
Paul Shanowski
Senior Attorney
Office of Petitions

³ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,288	10/07/2010	Kenichi Horikoshi	009066P1043	7494
8791 7590 06/15/2011 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER HAROLD, JEFFEREY F	
			ART UNIT 2422	PAPER NUMBER
			MAIL DATE 06/15/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

JUN 15 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 241K

Commissioner for Patents
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www.uspto.gov

BLAKELY SOKOLOFF TAYLOR &
ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

In re Application of: HORIKOSHI, K.
Application No. **12/900,288**
Filed: October 07, 2010
Atty Docket No. 009066P1043
Title of Invention: VIDEO DISPLAY
APPARATUS AND VIDEO PROCESSING
METHOD

DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(d), filed **June 09, 2011**, to make the above-identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application is
 - (a) a Paris Convention application which either (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or
 - (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application (i) validly claims priority to an application filed in the JPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or (iii) contains no priority claim, or
 - (c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application (i) validly claims priority to an application filed in the JPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or (iii) contains no priority claim.

Where the JPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the JPO application that contains the allowable/patentable claims and the JPO priority application claimed in the U.S. application;

- (2) Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the Japanese application(s);
 - b. An English translation of the allowable/patentable claim(s), if the claims were published in a language other than English); and
 - c. A statement that the English translation is accurate;
- (3) Applicant must:
 - a. Ensure that all the claims in the U.S. application sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
 - b. Submit a claim correspondence table in English;
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit:
 - a. A copy of all the office action(s) (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the Japanese application(s) containing the allowable/patentable claim(s);
 - b. An English language translation of the JPO office action(s) (if the office action(s) are not in the English language); and
 - c. A statement that the English translation is accurate;
- (6) Applicant must submit:
 - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already filed in this application); and
 - b. Copies of all the documents cited in the JPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application).

The request to participate in the PPH program and petition are found to comply with all the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Beatriz Prieto at 571-272-3902. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Beatriz Prieto/

Beatriz Prieto
Quality Assurance Specialist
Technology Center 2400



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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In re Application of
WAI MUN LEE

Application No. 12900342

Filed: October 7, 2010

Attorney Docket No. 091708-0004

:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 15-FEB-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.



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HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD MA 01742-9133

MAILED

JUN 28 2011

OFFICE OF PETITIONS

In re Application of :
SANTOPIETRO, Frank J. et al. :
Application No. 12/900,365 :
Filed: October 07, 2010 :
Attorney Docket No. 4371.1000-001 :

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), June 06, 2011 to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a copy of Frank Santopietro driver's license attesting to their age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at 571-272-2783.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3765 for action on the merits commensurate with this decision.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MCNEES WALLACE & NURICK LLC
100 PINE STREET
P.O. BOX 1166
HARRISBURG PA 17108-1166

MAILED

AUG 22 2011

OFFICE OF PETITIONS

In re Application of	:	
SHIN, et al	:	
Application No. 12/900,420	:	DECISION ON PETITION
Filed: October 7, 2010	:	TO WITHDRAW
Attorney Docket No. 30093-0001	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed August 2, 2011.

The request is **DISMISSED**.

The Request cannot be accepted because Petitioner has not complied with current USPTO requirements as set forth in 37 CFR 10.40. In this regard, the Office requires the practitioner(s) requesting withdrawal to certify that he, she or they have:

- (1) given reasonable notice to the client, prior to the expiration of the response period, that practitioner(s) intends to withdraw from employment;
- (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and
- (3) notified the client of any responses that may be due and the time frame within which the client must respond, pursuant to 37 CFR 10.40(c).

Petitioner has not complied with items (2) and (3) of the above-identified certifications.

All future communications from the Office will continue to be directed to the above-identified address until otherwise properly notified.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions

cc: IN HEE SHIN
102-1101, EODEUNGHAIBIL, GWANGSANGU
GWANGJU 506-050 KOREA



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**MCNEES WALLACE & NURICK LLC
100 PINE STREET
P.O. BOX 1166
HARRISBURG PA 17108-1166**

MAILED

SEP 02 2011

In re Application of	:	OFFICE OF PETITIONS
SHIN, et al	:	
Application No. 12/900,420	:	DECISION ON PETITION
Filed: October 7, 2010	:	TO WITHDRAW
Attorney Docket No. 30093-0001	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed August 26, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office requires the practitioner(s) requesting withdrawal to certify that he, she, or they have: (1) given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any responses that may be due and the time frame within which the client must respond, pursuant 37 CFR 10.40(c).

The request was signed by K. Scott O'Brian on behalf of the attorneys of record associated with Customer No. 26587.

The attorneys of record associated with Customer No. 26587 have been withdrawn.

Applicant is reminded that there is no attorney of record at this time.

The correspondence address of record has been changed and the new correspondence address is the address indicated below until otherwise properly notified by the applicant.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions

cc: IN HEE SHIN
102-1101, EODEUNGHAIBIL
USANDONG, GWANGSANGU
GWANGJU 506-050 KOREA



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/900,420	10/07/2010	In Hee SHIN	30093-0001

CONFIRMATION NO. 7755

POWER OF ATTORNEY NOTICE



26587
MCNEES WALLACE & NURICK LLC
100 PINE STREET
P.O. BOX 1166
HARRISBURG, PA 17108-1166

Date Mailed: 09/01/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/26/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/dcgoodwyn/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,421	10/07/2010	Takayuki ARAI	TOSH/0174US	7756
26290 7590 07/12/2011 PATTERSON & SHERIDAN, L.L.P. 3040 POST OAK BOULEVARD SUITE 1500 HOUSTON, TX 77056			EXAMINER MEHTA, BHAVESH M	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 07/12/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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PATTERSON & SHERIDAN, L.L.P.
3040 POST OAK BOULEVARD
SUITE 1500
HOUSTON TX 77056

In re Application of
Takayuki ARAI
Application No.: 12/900,421
Filed: 07 October 2010
Attorney Docket No.: TOSH/0174US
For: QUALITY ADJUSTING
APPARATUS AND IMAGE QUALITY
ADJUSTING METHOD

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed on 24 June 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is
 - a. a Paris Convention application which either
 - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - i. validly claims priority to an application filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim, or
 - c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - i. validly claims priority to an application filed in the JPO, or


- ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim;
- 2. Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the JPO application(s);
 - b. An English translation of the allowable/patentable claim(s) and
 - c. A statement that the English translation is accurate;
- 3. Applicant must:
 - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
 - b. Submit a claims correspondence table in English;
- 4. Examination of the U.S. application has not begun;
- 5. Applicant must submit:
 - a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
 - b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
 - c. A statement that the English translation is accurate;
- 6. Applicant must submit:
 - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.


Lee W. Young
TQAS, Technology Center 2600



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P.O. Box 1450
Alexandria, VA 22313-1450
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SCHOX PLC
500 3RD STREET, SUITE 515
SAN FRANCISCO CA 94107

MAILED

JAN 19 2011

OFFICE OF PETITIONS

In re Application of

GREENSPAN, Aaron J.

Application No. 12/900,428

Filed: October 07, 2010

Attorney Docket No. **THNK-P03-APP**

**DECISION ON PETITION
TO WITHDRAW
FROM RECORD**

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed December 17, 2010.

The request is **NOT APPROVED**.

The Office will no longer accept address changes to a new practitioner or law firm filed with a Request, absent the filing of a power of attorney to the new representative. The Office will either change the correspondence address of record to the most current address information provided for the assignee of the entire interest who properly became of record under 37 C.F.R. 3.71 or, if no assignee of the entire interest has properly been made of record under 37 CFR 3.71, the most current address information provided for the first named inventor.

Accordingly, the request to withdraw from record cannot be approved because the change of address is not that of: (1) the first named inventor; or (2) an assignee of the entire interest under C.F.R. 3.71, who has properly intervened by filing a statement in compliance with § 3.73(b) that is signed by a party who is authorized to act on behalf of the assignee.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-4231.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

cc: **THINK COMPUTER CORPORATION**
3260 HILLVIEW AVENUE
PALO ALTO, CA 94304



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SCHOX PLC
500 3RD STREET, SUITE 515
SAN FRANCISCO CA 94107

MAILED

FEB 14 2011

OFFICE OF PETITIONS

In re Application of	:	
GRENNSPAN, Aaron J.	:	
Application No. 12/900,428	:	DECISION ON PETITION
Filed: October 07, 2010	:	TO WITHDRAW
Attorney Docket No. THNK-P03-APP	:	FROM RECORD
	:	

This is a decision on the renewed Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed January 31, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office requires the practitioner(s) requesting withdrawal to certify that he, she, or they have: (1) given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any responses that may be due and the time frame within which the client must respond, pursuant 37 CFR 10.40(c).

The request was signed by Jeffrey Schox on behalf of all attorneys of record who are associated with customer No. 49142. All attorneys/agents associated have been withdrawn. Applicant is reminded that there is no attorney of record at this time.

All future correspondence will be directed to the first named inventor Aaron J. Greenspan at the address indicated below.

There are no outstanding Office actions at this time.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-72-4231.


Michelle R. Eason
Paralegal Specialist
Office of Petitions

cc: **AARON J. GREENSPAN**
884 COLLEGE AVENUE
PALO ALTO, CA 94306



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,442	10/07/2010	Daisuke KOBAYASHI	TOSH/0175US	7790
7590 09/08/2011 PATTERSON & SHERIDAN, L.L.P. 3040 POST OAK BOULEVARD SUITE 1500 HOUSTON, TX 77056				
EXAMINER HJERPE, RICHARD A				
ART UNIT		PAPER NUMBER		
2629				
MAIL DATE		DELIVERY MODE		
09/08/2011		PAPER		

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.


Patent Publication Branch
Office of Data Management

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: RIPPLC010.0001US1

Application Number
(if known):

Filing date: 10/07/2010

First Named
Inventor: JOE CICIULLA

Title: PROCESS OF MAKING BIODIESEL

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Geeta Kadambi/

Date 10/7/2010

Name
(Print/Typed) GEETA KADAMBI

Registration Number 64446

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.



*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT OFFICE

Title: PROCESS OF MAKING BIODIESEL

Inventors: JOE CICIULLA

Filing Date: 10/07/2010

Attorney docket number- RIPLLC010.0001US1

PETITION TO MAKE SPECIAL

To,

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia, 22313-1450

Sir:

REQUEST FOR EXPEDITIOUS AND URGENT EXAMINATION OF SUBMITTED APPLICATION ON THE BASIS OF GREEN TECHNOLOGY PILOT PROGRAM

The applicant of the instant application hereby requests that this application be made special pursuant to development of renewable energy resources and as published on May 21, 2010, at 75 Fed. Reg.28554. The current application focuses on making biodiesel from used oil sources, and the biodiesel has acceptable American Society for Testing and Materials (ASTM) values. This procedure allows the user to produce industrial scale biodiesel as a renewable source of energy for trucks and cars at low cost and reduced time.

The urgent and expeditious examination of instant U.S. Patent Application will help small scale inventor to continue to innovate and develop biodiesel that will help produce low cost energy alternative and create jobs. As such, this petition to make special for expedited examination is being made to the USPTO.

CONCLUSION

For the abovementioned reasons, applicants respectfully requests that this application be granted special status pursuant published on May 21, 2010, at 75 Fed. Reg. 28554 as the claimed technology directly and relevantly is directed toward development of renewable energy resources.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name: Geeta Kadambi
Registration Number: 64446
Address: 43526 Gallegos Avenue
Fremont, CA, 94539

Sign: /Geeta Kadambi/

Date: 10/07/2010



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,446	10/07/2010	JOE CICIULLA	RIPLLC010.0001US1	7803
97207	7590	11/22/2010	EXAMINER	
Geeta Kadambi 43526 Gallegos Avenue Fremont, CA 94539			ART UNIT	PAPER NUMBER
			1771	
			MAIL DATE	DELIVERY MODE
			11/22/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Geeta Kadambi
43526 Gallegos Avenue
Fremont CA 94539

NOV 22 2010

In re Application of	:	
Ciciulla	:	DECISION ON PETITION
Application No. 12/900,446	:	TO MAKE SPECIAL UNDER
Filed: 10/7/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. RIPLLC010.0001US1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 10/7/2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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**GEETA KADAMBI
RIDDHI IP LLC
43526 GALLEGOS AVENUE
FREMONT CA 94539**

**MAILED
SEP 09 2011
OFFICE OF PETITIONS**

In re Application of	:	
CICIULLA	:	
Application No. 12/900,446	:	DECISION ON PETITION
Filed: October 7, 2010	:	TO WITHDRAW
Attorney Docket No. RIPLLC010.001US1	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent under 37 C.F.R. § 1.36(b) filed September 1, 2011.

The request is **NOT APPROVED**.

A review of the file record indicates that Geeta Kadambi does not have power of attorney in this patent application. See 37 C.F.R. § 10.40. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is not applicable.

The Office will not approve requests from practitioners to withdraw from applications where the requesting practitioner is acting, or has acted, in a representative capacity pursuant to 37 CFR 1.34. In these situations, the practitioner is responsible for the correspondence the practitioner files in the application while acting in a representative capacity. As such, there is no need for the practitioner to obtain the Office's permission to withdraw from representation. However, practitioners acting in a representative capacity, like practitioners who have a power of attorney in the application, remain responsible for noncompliance with 37 CFR 1.56, as well as 37 CFR 10.18, with respect to documents they file.

All future communications from the Office will continue to be directed to the above-identified address until otherwise properly notified.

Telephone inquires concerning this decision should be directed to the undersigned at (571) 272-6735.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions

cc: **JOE CICIULLA
723 CAMINO PLAZA
SAN BRUNO CA 94066**



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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**GEETA KADAMBI
RIDDHI IP LLC
43526 GALLEGOS AVENUE
FREMONT CA 94539**

MAILED

NOV 08 2011

OFFICE OF PETITIONS

In re Application of	:	
CICIULLA	:	
Application No. 12/900,446	:	DECISION ON PETITION
Filed: October 7, 2010	:	TO WITHDRAW
Attorney Docket No. RIPLLC010.001US1	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent under 37 C.F.R. § 1.36(b) filed October 17, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office requires the practitioner(s) requesting withdrawal to certify that he, she, or they have: (1) given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any responses that may be due and the time frame within which the client must respond, pursuant 37 CFR 10.40(c).

The request was signed by Geeta Kadambi on behalf of the attorneys of record associated with Customer Number 97207.

The attorneys of record associated with Customer Number 97207 have been withdrawn.

Applicant is reminded that there is no attorney of record at this time.

The correspondence address of record has been changed and the new correspondence address is the address indicated below until otherwise properly notified.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

cc: JOE CICIULLA
723 CAMINO PLAZA
SAN BRUNO CA 94066



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/900,446	10/07/2010	JOE CICIULLA	RIPLLC010.001US1

CONFIRMATION NO. 7803

POWER OF ATTORNEY NOTICE



OC000000050751622

97207
Geeta Kadambi
Riddhi IP LLC
43526 Gallegos Avenue
Fremont, CA 94539

Date Mailed: 11/02/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 10/17/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/dcgoodwyn/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: ERVIN.001A	Application Number (if known): 12900447	Filing date: 10/07/2010
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First Named Inventor: Ronald Ervin

Title: Utility Monitoring System

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Nathan S. Smith/	Date 2010/11/16
------------------------------------	------------------------

Name (Print/Typed) Nathan S. Smith	Registration Number 53,615
---	-----------------------------------

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,447	10/07/2010	Ronald G. Ervin	ERVIN.001A	7807

20995	7590	11/26/2010
KNOBBE MARTENS OLSON & BEAR LLP		
2040 MAIN STREET		
FOURTEENTH FLOOR		
IRVINE, CA 92614		

EXAMINER	
----------	--

ART UNIT	PAPER NUMBER
1772	

NOTIFICATION DATE	DELIVERY MODE
11/26/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
efiling@kmob.com
eOAPilot@kmob.com



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NOV 26 2010

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

In re Application of	:	
Ronald G. Ervin	:	DECISION ON PETITION
Application No. 12/900,447	:	TO MAKE SPECIAL UNDER
Filed: October 07, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. ERVIN.001A	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed November 16, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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KILE PARK GOEKJIAN REED & MCMANUS
1200 NEW HAMPSHIRE AVE., NW
SUITE 570
WASHINGTON, DC 20036

MAILED
MAY 25 2011
OFFICE OF PETITIONS

In re Application of
Om Ahuja
Application No. 12/900,456
Filed: October 7, 2010
Attorney Docket No. 377.002

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed April 28, 2011.

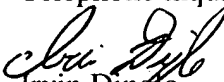
The request is **APPROVED**.

The request was signed by Scott W. Houtteman on behalf of the practitioners of record associated with Customer Number 30236.

Applicant is reminded that there is no attorney of record at this time.

All future correspondence will be directed to inventor Om Ahuja at the address indicated below.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.


Irvin Dingle
Petitions Examiner
Office of Petitions

cc: Om Ahuja
PO Box 1
Caruthersville, MO 68830



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/900,456	10/07/2010	Om Ahuja	377.002

30236
KILE PARK GOEKJIAN REED & MCMANUS
1200 NEW HAMPSHIRE AVE, NW
SUITE 570
WASHINGTON, DC 20036

CONFIRMATION NO. 7833 POWER OF ATTORNEY NOTICE



OC000000047842551

Date Mailed: 05/25/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/28/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/idingle/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/900,456	10/07/2010	Om Ahuja	377.002

Om Ahuja
PO Box 1
Caruthersville, MO 68830

CONFIRMATION NO. 7833
POA ACCEPTANCE LETTER



Date Mailed: 05/25/2011

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/28/2011.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/s/ idingle/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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DW Jun-11

MANNI LI
MEI & MARK LLP
433 NORTH CAMDEN DRIVE, SUITE 400
BEVERLY HILLS CA 90210

MAILED

JUN 08 2011

OFFICE OF PETITIONS

In re Application of :
Feng, Wang, Mao, Yu, and Cheng : DECISION ACCORDING STATUS
Application Number: 12/900,459 : UNDER 37 CFR 1.47(a)
Filing Date: 10/07/2010 :
Attorney Docket Number: :
63794.8001.US05 :

This is a decision in response to the petition under 37 CFR 1.47(a), filed on April 20, 2011.

The petition is **GRANTED**.

Petitioners have shown via the statement of facts by Yunhua (Tinna) Shen, that a copy of the application and Declaration was sent to each of the non-signing inventors. The non-signing inventors each responded by mail and/or email stating his refusal to sign the declaration.

As such, the showing of record is that the non-signing inventors have expressly refused to join in the filing of the application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the addresses listed in the Declaration. Notice of the filing of this application will also be published in the *Official Gazette*.

Application No. 12/900,459

2

The application is being referred to the Office of Patent Application Processing for further processing.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3231.

A handwritten signature in black ink, appearing to read "D. Wood", is positioned above the typed name.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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DW Jun-11

Xiaochui Mao
Lanjiang St, Wuliting Cun
Building No. 36, Unit 2, Room 501
Lanxi City,
Zhejiang Province CHINA
310012
CHINA

MAILED

JUN 08 2011

OFFICE OF PETITIONS

In re Application of
Feng et al.
Application No. 12/900,459
Filed: 10/07/2010
For: FALLING FILM EVAPORATOR

Dear Mr. Mao:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 571/272-3231. Requests for information regarding your application should be directed to the File Information Unit at 571-272-3150. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 571-272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

MANNI LI
MEI & MARK LLP
433 NORTH CAMDEN DR, STE 400
BEVERLY HILLS CA 90210



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Nongyue Wang
Langui Garden
Building No. 9
Unit 2, Room 501
West Lake District
Hangzhou City
Zhejiang Province CHINA
310012
CHINA

MAILED

JUN 08 2011

OFFICE OF PETITIONS

In re Application of
Feng et al.
Application No. 12/900,459
Filed: 10/07/2010
For: FALLING FILM EVAPORATOR

Dear Mr. Wang:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 571/272-3231. Requests for information regarding your application should be directed to the File Information Unit at 571-272-3150. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 571-272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

MANNI LI
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433 NORTH CAMDEN DR, STE 400
BEVERLY HILLS CA 90210



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DNW Jun-11

Xiaogen Feng
Huban Lianhua Gang
Building No. 5, Unit 3
Room 302 West Lake District
Hangzhou City
Zhejiang Province CHINA
310012
CHINA

MAILED

JUN 08 2011

OFFICE OF PETITIONS


In re Application of
Feng et al.
Application No. 12/900,459
Filed: 10/07/2010
For: FALLING FILM EVAPORATOR

Dear Mr. Feng:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 571/272-3231. Requests for information regarding your application should be directed to the File Information Unit at 571-272-3150. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 571-272-3150 or 1-800-972-6382 (outside the Washington D.C. area).


Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

MANNI LI
MEI & MARK LLP
433 NORTH CAMDEN DR, STE 400
BEVERLY HILLS CA 90210



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Ruibiao Yu
Huban Lianhua Gang,
Building No. 5, Unit 3
Room 402, West Lake District
Hangzhou City
Zhejiang Province CHINA
310012
CHINA

MAILED

JUN 08 2011

OFFICE OF PETITIONS

In re Application of
Feng et al.
Application No. 12/900,459
Filed: 10/07/2010
For: FALLING FILM EVAPORATOR

Dear Mr. Yu:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 571/272-3231. Requests for information regarding your application should be directed to the File Information Unit at 571-272-3150. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 571-272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

MANNI LI
MEI & MARK LLP
433 NORTH CAMDEN DR, STE 400
BEVERLY HILLS CA 90210



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LOGINOV & ASSOCIATES, PLLC
10 WATER STREET
CONCORD NH 03301

MAILED

NOV 09 2010

OFFICE OF PETITIONS

In re Application of
Logan et al.
Application No. 12/900,471
Filed: October 7, 2010
Attorney Docket No. 144/0009

ON PETITION

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 7, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.


The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a Statement from the Charles G. Call's attorney, attesting to the applicant being over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3206. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Office of Patent Application Processing for further pre-examination processing. Thereafter, the application will be referred Technology Center Art Unit 2612 for action on the merits commensurate with this decision.


Liana Walsh
Petitions Examiner
Office of Petitions



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Alexandria, VA 22313-1450
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Paper No.

DENTSPLY INTERNATIONAL INC
570 WEST COLLEGE AVENUE
YORK PA 17404

MAILED

JAN 12 2012

In re Application of :
Sang et al. :
Application No. 12/900,526 :
Filed: October 8, 2010 :
Attorney Docket No. LDC-859- :
CIP-CON4 :
Title: METHOD AND COMPOSITION :
FOR ADHERING TO TOOTH STRUCTURE :

OFFICE OF PETITIONS

DECISION ON PETITION
UNDER 37 C.F.R. § 1.137(B)

This is a decision on the petition pursuant to 37 C.F.R. § 1.137(b), filed December 22, 2011, to revive the above-identified application.

This petition pursuant to 37 C.F.R. § 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. § 1.113 in a timely manner to the final Office action mailed April 6, 2011, which set a shortened statutory period for reply of three months. No response was received, and no extensions of time under the provisions of 37 C.F.R. § 1.136(a) were requested. Accordingly, the above-identified application became abandoned on July 7, 2011. A notice of abandonment was mailed on November 1, 2011.

On December 16, 2011, Petitioner filed a Request for Continued Examination (RCE) along with the associated fee, an amendment, the petition fee, and the proper statement of unintentional delay. The concurrently filed amendment has been accepted as the required reply under 37 C.F.R. § 1.137(b) (1).

As such, the first three requirements of Rule 1.137(b) have been met. The fourth requirement of Rule 1.137(b) is not applicable, as a terminal disclaimer is not required.¹

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the submission under 37 C.F.R. § 1.114 - the amendment submitted on December 22, 2011 - can be processed in due course.

Petitioner has also submitted a three-month extension of time. An extension of time under 37 C.F.R. § 1.136 must be filed prior to the expiration of the maximum extendable period for reply.² Accordingly, since the \$ 1270 extension of time submitted with the petition on December 22, 2011 was filed subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to Deposit Account number 04-0780 in due course.

Petitioner may find it beneficial to view Private PAIR within a fortnight of the present decision to ensure that the revival has been acknowledged by the Technology Center in response to this decision. It is noted that all inquiries with regard to any failure of that change in status should be directed to the Technology Center where that change of status must be effected - **the Office of Petitions cannot effectuate a change of status.**

It is noted that the address listed on the petition differs from the address of record. The application file does not indicate a change of correspondence address has been filed in this case, although the address given on the petition differs from the address of record. If Petitioner desires to receive future correspondence regarding this application, the change of correspondence address must be submitted. A courtesy copy of this decision will be mailed to Petitioner. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary. Petitioner will not receive future correspondence related to this application unless Change of Correspondence Address, Patent Form (PTO/SB/122) is submitted for the above-identified application. For Petitioner's convenience, a blank Change of Correspondence Address, Patent Form (PTO/SB/122), may be found at <http://www.uspto.gov/web/forms/sb0122.pdf>.

¹ See Rule 1.137(d).

² See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988).

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.³ All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
Senior Attorney
Office of Petitions

cc: DENTSPLY INTERNATIONAL INC
570 WEST COLLEGE AVENUE
P.O. BOX 872
YORK PA 17405-0872

³ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Michael Louis Bazzone

Application No. 12900556

Filed:

Attorney Docket No. Application-1

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 11-OCT-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **243350** Application Number (if known): **12/900,560** Filing date: **10-08-2010**

First Named Inventor: **Jeff Donald Drake**

Title: **APPLIANCE WITH ENERGY CONSUMPTION REPORTING AND METHOD**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **12/14/11**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jeff Donald Drake)
Confirmation No.: 8046)
Serial No.: 12/900,560)
Filing Date: 10-08-2010)
Atty Docket No.: 243350)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

This disclosure relates to energy management, and more particularly to electrical device control methods and electrical energy consumption systems. The disclosure finds particular application to energy management of home appliances, for example, dishwashers, clothes washers, dryers, HVAC systems, etc. (See [0002]).

Many utilities are currently experiencing a shortage of electric generating capacity due to increasing consumer demand for electricity. Currently utilities generally charge a flat rate, but with increasing cost of fuel prices and high energy usage at certain parts of the day, utilities have to buy more energy to supply customers during peak demand. Consequently, utilities are charging higher rates during peak demand. If peak demand can be lowered, then a potential huge cost savings can be achieved and the peak load that the utility has to accommodate is lessened. In order to reduce high peak power demand, many

utilities have instituted time of use metering and rates which include higher rates for energy usage during on-peak times and lower rates for energy usage during off-peak times. As a result, consumers are provided with an incentive to use electricity at off-peak times rather than on-peak times. And to reduce overall energy consumption of appliances at all times. (See [0003]).

Presently, to take advantage of the lower cost of electricity during off-peak times, a user must manually operate power consuming devices during the off-peak times. This is undesirable because a consumer may not always be present in the home to operate the devices during off-peak hours. This is also undesirable because the consumer is required to manually track the current time to determine what hours are off-peak and on-peak. (See [0004]).

One proposed solution is to provide a system where a controller "switches" the actual energy supply to the power consuming device on and off. However, there is no active control beyond the mere on/off switching. There are also currently different methods used to determine when variable electricity-pricing schemes go into effect. There are phone lines, schedules, and wireless signals sent by the electrical utility company. One difficulty is that different electrical companies use different methods of communicating periods of high electrical demand to their consumers. Other electrical utility companies simply have rate schedules for different times of day. Therefore, there is a need to provide a system that can automatically operate power consuming devices during off-peak hours in order to reduce consumer's electric bills and also to reduce the load on generating plants during on-peak hours. Active and real time

communication of energy costs of appliances to the consumer will enable informed choices of operating the power consuming functions of the appliance. (See [0005]).

Electrical utilities moving to an Advanced Metering Infrastructure (AMI) system will need to communicate to appliances, HVAC (i.e. room or whole house), water heaters, etc. in a home or office building. All electrical utility companies (more than 3,000 in the US) will not be using the same communication method to signal in the AMI system. Similarly, known systems do not communicate directly with the appliance using a variety of communication methods and protocols, nor is a modular and standard method created for communication devices to interface and to communicate operational modes to the main controller of the appliance. Although conventional WiFi/ZigBee/PLC communication solutions are becoming commonplace, this disclosure introduces numerous additional lower cost, reliable solutions to indicate and communicate cost of energy in appliances or other users of power. This system may also utilize the commonplace solutions as parts of the communication protocols. (See [0006]).

Providing consumers access to real time information about the energy they consume helps them reduce their consumption. Many systems are being experimented with today for utilities to provide the meter data from a person's home to the consumer. This gives the consumer some additional basic data. For example, when the air conditioner is running, the rate of consuming electricity is high. Such systems, however, do not provide the consumer with a more in-

depth understanding electricity usage (e.g., does the dryer, which draws a lot of power for a short period of time, have a bigger impact on my energy consumption than the refrigerator that draws lower power for a longer period of time). See [0007]).

The present disclosure provides a system and method for calculating actual energy consumed by an appliance without the need for additional hardware to be installed at the appliance. See [0011]).

In one embodiment of the invention, an appliance with an energy consumption reporting function comprises one or more power consuming functions, each of the one or more power consuming functions having one or more operating states associated with respective power consumption value, a controller operable to activate the one or more power consuming functions, the controller configured to determine an energy consumption amount for the appliance by accumulating the power consumption amounts for each power consuming function based on the amount of time each operating state is detected, and a communication interface for communicating the energy consumption amount. See [0013]).

In accordance with another embodiment, a method of determining the energy consumption of an appliance comprises associating one or more operating states of one or more power consuming functions of an appliance with a respective power consumption value, detecting activation of the one or more operating states, and calculating energy usage of the appliance by accumulating

the power consumption value for each power consuming function based on the amount of time each operating state is detected. See [0015]).

Accordingly, Applicant respectfully submits that Special Status is sought on the basis that the embodiments disclosed herein materially contribute to the more efficient utilization and conservation of energy resources.

Amongst several benefits, the embodiments disclosed herein allow for greater informational awareness and control of energy flow. This informational awareness allows consumers to interface with their energy consumption, providing new levels of detail on how, and how much, electricity is being consumed and at what cost in real time, and give them the tools to increase or decrease their consumption. It also allows utilities to more efficiently manage and adjust electricity transmission, reducing the likelihood of outages and congestion while improving billing accuracy for consumers. Smart energy generally provides consumers and utilities a greater ability to adapt to changing market conditions for greater energy efficiency.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: December 14, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,560	10/08/2010	Jeff Donald Drake	243350 (GECZ 201111US01)	8046
27885	7590	12/23/2011	EXAMINER	
FAY SHARPE LLP 1228 Euclid Avenue, 5th Floor The Halle Building Cleveland, OH 44115			CLARK, DAVID J	
			ART UNIT	PAPER NUMBER
			3628	
			MAIL DATE	DELIVERY MODE
			12/23/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

12/23/2011

In re Application of	:	
Jeff D. Drake et al.	:	DECISION ON PETITION
Application No. 12/900,560	:	TO MAKE SPECIAL UNDER
Filed: October 08, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 243350 (GECZ201111US01)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 14, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010), 75 Federal Register Notice 69049 (November 10, 2010) and 76 Federal Register Notice 77979 (December 15, 2011).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Jae Y. Park
Kile Park Goekjian Reed & McManus PLLC
1200 New Hampshire Ave. NW, Suite 570
Washington DC 20036

MAILED

AUG 01 2011

OFFICE OF PETITIONS

In re Application of :
Tae-Hoon Kim et al. :
Application No. 12/900,572 : **DECISION ON PETITION**
Filed: October 8, 2010 :
Attorney Docket No. WIP-0097-SE :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed July 5, 2011, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Notice to File Corrected Application Papers, mailed October 21, 2010. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on December 22, 2010. A Notice of Abandonment was mailed on June 30, 2011.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of replacement drawings, (2) the petition fee of \$810, (3) a proper statement of unintentional delay. Accordingly the replacement drawings are accepted as being unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at (571) 272-4618.

This application is being referred to the Office of Patent Application Processing for appropriate action in the normal course of business on the replies received July 5, 2011.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION
HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY
OFFICE (KIPO) AND THE USPTO**

Application No:	12/900,606	Filing date:	08-OCT-2010
First Named Inventor:	Joseph Andrew Tecza		
Title of the Invention:	AUXILIARY BEARING SYSTEM WITH OIL RING FOR MAGNETICALLY SUPPORTED ROTOR SYSTEM		
THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBS/DFS_HELP.HTML			

**APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE
ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.**

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

**The corresponding PCT
application number(s) is/are:** PCT/US2010/051922

**The international filing date of the corresponding
PCT application(s) is/are:** 08-October-2010

I. List of Required Documents:

- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified
corresponding PCT application(s)**



Is attached.

Is not attached because the document is already in the U.S. application.

- b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the
above-identified corresponding PCT application(s).**



Is attached.

Is not attached because the document is already in the U.S. application.

- c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English
language). A statement that the English translation is accurate is attached for the document in b. above.**

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

Application No.:	12/900,606
First Named Inventor:	Joseph Andrew Tecza

- ☒ Is attached
- ☐ Has already been filed in the above-identified U.S. application on

- ☒ Are attached.
- ☐ Have already been filed in the above-identified U.S. application on _____

[illegible]

Signature <i>/N. Alexander Nolte/</i>	Date December 28, 2011
Name (Print/Typed) N. Alexander Nolte	Registration Number 45,689

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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OFFICE OF PETITIONS

Edmonds Nolte, PC
16815 ROYAL CREST DRIVE
SUITE 130
HOUSTON TX 77058

In re Application of	: DECISION ON REQUEST TO
Joseph A. TECZA	: PARTICIPATE IN PCT-PPH PROGRAM
Application No. 12/900,606	: AND PETITION TO MAKE SPECIAL
Filed: October 8, 2010	: UNDER 37 CFR 1.102(a)
Atty. Docket No.: 42495.628	
For: AUXILIARY BEARING SYSTEM WITH OIL RING FOR MAGNETICALLY SUPPORTED ROTOR SYSTEM	

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed December 28, 2011, to make the above-identified application special.

The request is **GRANTED**.

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) at least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

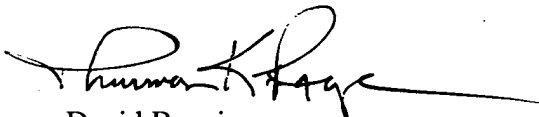
(4) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

- (5) examination of the U.S. application has not begun;
- (6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;
- (7) applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications; and
- (8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427). All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to Technology Center Art Unit 3656 for action commensurate with this decision.



David Bucci
Petitions Examiner
Office of Petitions

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	12/900,629	Filing date:	08-OCT-2010
First Named Inventor:	Joseph Andrew Tecza		
Title of the Invention:	AUXILIARY BEARING SYSTEM FOR MAGNETICALLY SUPPORTED ROTOR SYSTEM		
THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBS/EFSS_HELP.HTML			

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/051927

The international filing date of the corresponding PCT application(s) is/are: 08-October-2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**



Is attached.



Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**



Is attached.



Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

Application No.:	12/900,629
First Named Inventor:	Joseph Andrew Tecza

- ☒ Is attached
- ☐ Has already been filed in the above-identified U.S. application on

- ☒ Are attached.
- ☐ Have already been filed in the above-identified U.S. application on _____

[illegible]

Signature <i>/N. Alexander Nolte/</i>	Date December 28, 2011
Name (Print/Typed) N. Alexander Nolte	Registration Number 45,689

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Claims

What is claimed is:

1. An auxiliary bearing system, comprising:
 - at least two mounting pad assemblies, each mounting pad assembly comprising a body member compliantly mounted to a casing and permitted to move relative to the casing and the respective body members of other mounting pad assemblies; and
 - an inertia ring coupled to a shaft, the inertia ring engaging one or more of the mounting pad assemblies only when the shaft is supported by the auxiliary bearing system.
2. The auxiliary bearing system of claim 1, further comprising:
 - a compliant member engaged with a circumferentially-extending inside surface of the casing, wherein each of the body members is engaged with the compliant member so that the compliant member is radially disposed between the inside surface of the casing and the body members.
3. The auxiliary bearing system of claim 1, wherein each of the mounting pad assemblies further comprises:
 - at least one curved beam support, comprising:
 - a base coupled to the casing; and
 - a protrusion extending from the base and engaged with the corresponding body member so that a gap is defined between the base and the corresponding body member.
4. The auxiliary bearing system of claim 1, further comprising:
 - a housing extending circumferentially around the body members, wherein each of the body members is engaged with the housing; and
 - a compliant member engaged with the casing and the housing so that the compliant member is radially disposed between the housing and a circumferentially-extending inside surface of the casing.

5. The auxiliary bearing system of claim 1, wherein each of the mounting pad assemblies further comprises:

a compliant insert on which the corresponding body member is mounted, wherein the compliant insert extends between the casing and the corresponding body member and the corresponding body member is biased away from a circumferentially-extending inside surface of the casing by the compliant insert, and wherein a gap is defined between the inside surface of the casing and the corresponding body member..

6. The auxiliary bearing system of claim 1, wherein each of the mounting pad assemblies further comprises:

a socket formed in the corresponding body member;

a plug engaged with the casing;

a post having a ball portion engaged with the socket of the corresponding body member;

and

a spring extending between the plug and the post.

7. The auxiliary bearing system of claim 1, further comprising:

a housing coupled to the casing and extending circumferentially around the body members, wherein an annulus is formed in the housing and a fluid is disposed in the annulus, and wherein a cavity is defined by at least the housing and the corresponding body member and the cavity is fluidically coupled to the annulus.

8. The auxiliary bearing system of claim 7, further comprising:

a pressure compensation device operably coupled to the annulus and capable of adjusting the pressure of the fluid in the annulus, wherein each of the cavities is fluidically coupled to the annulus via a porous fluid communication path.

9. The auxiliary bearing system of claim 1, further comprising:

a roller element bearing comprising:

an inner ring coupled to the shaft; and

an outer ring coupled to the inertia ring; and

a friction material disposed on an inner surface of each of the body members, wherein, when the shaft is supported by a primary bearing system, a radial clearance is defined between the inertia ring and the friction material of each of the mounting pad assemblies.

10. A method of supporting a shaft, the method comprising:
coupling an inertia ring to the shaft, wherein the shaft is at least partially disposed in a casing;
compliantly mounting at least two body members to the casing so that each of the body members is permitted to move relative to the casing and the other body members;
supporting the shaft with a primary bearing system; and
engaging the inertia ring with one or more of the compliantly-mounted body members when the primary bearing system fails.
11. The method of claim 10, wherein compliantly mounting the body members to the casing comprises:
engaging a compliant member with the casing; and
engaging each of the body members with the compliant member so that the compliant member is disposed between a circumferentially-extending inside surface of the casing and the body members.
12. The method of claim 10, wherein compliantly mounting the body members to the casing comprises:
coupling a plurality of curved beam supports to the casing; and
engaging each of the body members with at least one of the curved beam supports.
13. The method of claim 10, wherein compliantly mounting the body members to the casing comprises:
extending a housing circumferentially around the body members, wherein each of the body members is engaged with the housing; and
engaging a compliant member with the casing and the housing so that the compliant member is disposed between the housing and a circumferentially-extending inside surface of the casing.
14. The method of claim 10, wherein compliantly mounting the body members to the casing comprises:
mounting each of the body members to a compliant insert that extends between the casing and the body member, wherein a gap is defined between a circumferentially-extending

inside surface of the casing and the body member, and the body member is biased away from the inside surface of the casing by the compliant insert.

15. The method of claim 10, wherein compliantly mounting the body members to the casing comprises:

- forming a socket in each of the body members;
- engaging each of the sockets with a ball portion of a respective post; and
- extending a spring between each of the posts and a respective plug engaged with the casing.

16. The method of claim 10, wherein compliantly mounting the body members to the casing comprises:

- coupling a housing to the casing so that the housing extends circumferentially around the body members;
- forming an annulus in the housing;
- filling the annulus with a fluid; and
- fluidically coupling a plurality of cavities to the annulus, each of the cavities being defined by at least the housing and one of the body members.

17. The method of claim 16, further comprising:

- operably coupling a pressure compensation device to the annulus, wherein each of the cavities is fluidically coupled to the annulus via a porous fluid communication path.

18. The method of claim 10, wherein coupling the inertia ring to the shaft comprises:

- coupling an inner ring of a roller element bearing to the shaft; and
- coupling an outer ring of the roller element bearing to the inertia ring;
- wherein each of the body members defines an inner surface on which friction material is disposed; and
- wherein, when the shaft is supported by the primary bearing system, a radial clearance is defined between the inertia ring and the friction material of each of the mounting pad assemblies.

19. A rotor system, comprising:
- a shaft;
 - a primary bearing system that supports the shaft during normal operating conditions; and
 - an auxiliary bearing system that supports the shaft when the primary bearing system fails, the auxiliary bearing system comprising:
 - an inner ring of a roller element bearing coupled to the shaft;
 - an outer ring of the roller element bearing disposed radially outward from the inner ring;
 - an inertia ring coupled to the outer ring;
 - at least two mounting pad assemblies disposed radially outward from the inertia ring, wherein a radial gap is defined between the inertia ring and an inner surface of each of the mounting pad assemblies when the primary bearing system is supporting the shaft; and
 - a casing to which each of the mounting pad assemblies is compliantly mounted.
20. The rotor system of claim 19, further comprising:
- a friction material disposed on the inner surface of each of the mounting pad assemblies.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

NOLTE N. ALEXANDER

EDMONDS & NOLTE, PC 10411 WESTHEIMER ROAD
SUITE 201 HOUSTON TX 77042 USA

PCT

DOCKETED
8/25/11NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing
(day/month/year) 30 JUNE 2011 (30.06.2011)Applicant's or agent's file reference
42495--631

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.
PCT/US2010/051927International filing date
(day/month/year)
08 OCTOBER 2010 (08.10.2010)

Applicant

DRESSER-RAND COMPANY et al

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004, 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to any protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.
☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices. In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the PCT Applicant's Guide, National Chapters.

Name and mailing address of the ISA/KR



Korean Intellectual Property Office
Government Complex-Daejeon, 189 Cheongsu-ro,
Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

COMMISSIONER

Telephone No. 82-42-481-8754



* Attention

Copies of the documents cited in the international search report can be searched in the following Korean Intellectual Property Office English website for three months from the date of mailing of the international search report.

<http://www.kipo.go.kr/en/> => PCT Services => PCT Services

ID : PCT international application number

PW : **3UHOKGXD**

Inquiries related to PCT International Search Report or Written Opinion prepared by KIPO as an International Searching Authority can be answered not only by KIPO but also through IPKC (Intellectual Property Korea Center), located in Vienna, VA, which functions as a PCT Help Desk for PCT applicants.

Homepage: <http://www.ipkcenter.com>

Email: ipkc@ipkcenter.com

Phone: +1 703 388 1066

Fax: +1 703 388 1084

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 42495--631	FOR FURTHER ACTION <div style="text-align: right;">see Form PCT/ISA/220 as well as, where applicable, item 5 below.</div>	
International application No. PCT/US2010/051927	International filing date (<i>day/month/year</i>) 08 OCTOBER 2010 (08.10.2010)	(Earliest) Priority Date (<i>day/month/year</i>) 09 OCTOBER 2009 (09.10.2009)
Applicant DRESSER-RAND COMPANY et al		

This International search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. ☐ This international search report has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box No. II)

3. ☐ Unity of invention is lacking (See Box No. III)

4. With regard to the title,

- ☒ the text is approved as submitted by the applicant.
☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- ☒ the text is approved as submitted by the applicant.
☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 1
☒ as suggested by the applicant.
☐ as selected by this Authority, because the applicant failed to suggest a figure.
☐ as selected by this Authority, because this figure better characterizes the invention.
- b. ☐ none of the figure is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2010/051927**A. CLASSIFICATION OF SUBJECT MATTER***F16C 32/04(2006.01)i, F16C 33/00(2006.01)i, F16C 33/30(2006.01)i, F16C 19/08(2006.01)i, F16C 27/00(2006.01)i, F16C 35/00(2006.01)i*

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

F16C 32/04; F16C 41/00; F16C 19/52; F16C 17/03

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Korean utility models and applications for utility models

Japanese utility models and applications for utility models

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

eKOMPASS(KIPO internal) & Keywords: auxiliary, emergency, back-up, bearing, tilt, pad

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 05810485 A (DUBLIN, JR., WILBUR LESLIE et al.) 22 September 1998 See abstract, column 6, line 54 - column 9, line 63 and figures 2a-3c.	1-20
A	WO 01-57408 A1 (FEDERAL-MOGUL RPB LIMITED.) 09 August 2001 See abstract, page 4, line 21 - page 5, line 20 and figures 1a-1c.	1-20
A	JP 2001-124062 A (HITACHI LTD.) 08 May 2001 See abstract, paragraphs 9-10 and figures 1-3.	1-20
A	US 2004-0189124 A1 (BAUDELOCQUE, LUC et al.) 30 September 2004 See abstract, paragraphs 33-46 and figures 2-7.	1-20

☐ Further documents are listed in the continuation of Box C.☒ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

30 JUNE 2011 (30.06.2011)

Date of mailing of the international search report

30 JUNE 2011 (30.06.2011)

Name and mailing address of the ISA/KR

Korean Intellectual Property Office
Government Complex-Daejeon, 189 Cheongsu-ro,
Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

SHIN, DONG HYUK

Telephone No. 82-42-481-5525



INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/US2010/051927

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 05810485 A	22.09.1998	US 05642944 A US 05806988 A US 05810485 A	01.07.1997 15.09.1998 22.09.1998
WO 01-57408 A1	09.08.2001	AT 295488 T OE 60110751 D1 OE 60110751 T2 EP 1254320 A1 EP 1254320 B1 GB 0002574 D0 GB 2358892 A GB 2358892 B US 2003-0012468 A1 US 6767133 B2	15.05.2005 16.06.2005 02.02.2006 06.11.2002 11.05.2005 29.03.2000 08.08.2001 09.06.2004 16.01.2003 27.07.2004
JP 2001-124062 A	08.05.2001	None	
US 2004-0189124 A1	30.09.2004	AU 2002-317247 A8 AU 2002-327870 A8 CA 2450663 A1 EP 1395758 A1 EP 1395758 B1 EP 1430081 A2 JP 04-261339 B2 JP 2005-503520 A JP 2005-503520 T US 2004-189124 A1 US 2006-0105403 A1 US 7217039 B2 WO 02-100896 A2 WO 02-100896 A3 WO 02-100897 A2 WO 02-100897 A3 WO 02-103215 A1 WO 0210-3215A1 WO 0210-3215A8	23.12.2002 23.12.2002 19.12.2002 10.03.2004 08.03.2006 23.06.2004 30.04.2009 03.02.2005 03.02.2005 30.09.2004 18.05.2006 15.05.2007 19.12.2002 19.12.2002 19.12.2002 19.12.2002 27.12.2002 27.12.2002 19.02.2004

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

NOLTE N. ALEXANDER

EDMONDS & NOLTE, PC 10411 WESTHEIMER ROAD
SUITE 201 HOUSTON TX 77042 USA

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) 30 JUNE 2011 (30.06.2011)

Applicant's or agent's file reference
42495-631

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/US2010/051927

International filing date (day/month/year)
08 OCTOBER 2010 (08.10.2010)

Priority date(day/month/year)
09 OCTOBER 2009 (09.10.2009)

International Patent Classification (IPC) or both national classification and IPC

F16C 32/04(2006.01)i, F16C 33/00(2006.01)i, F16C 33/30(2006.01)i, F16C 19/08(2006.01)i, F16C 27/00(2006.01)i, F16C 35/00(2006.01)i

Applicant

DRESSER-RAND COMPANY et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR
Korean Intellectual Property Office
Government Complex-Daejeon, 189
Cheongsa-ro, Seo-gu, Daejeon 302-
701, Republic of Korea
Facsimile No. 82-42-472-7140

Date of completion of this opinion

30 JUNE 2011 (30.06.2011)

Authorized officer

SHIN, DONG HYUK

Telephone No. 82-42-481-5525

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US2010/051927

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of:

a. a sequence listing filed or furnished

- ☐ on paper
- ☐ in electronic form

b. time of filing or furnishing

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2010/051927

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1-20	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-20	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:

D1: US 05810485 A (DUBLIN, JR., WILBUR LESLIE et al.) 22 September 1998
D2: WO 01-57408 A1 (FEDERAL-MOGUL RPB LIMITED.) 09 August 2001
D3: JP 2001-124062 A (HITACHI LTD.) 08 May 2001
D4: US 2004-0189124 A1 (BAUDELOCQUE, LUC et al.) 30 September 2004

1. Novelty and Inventive Step

1.1 Independent claims 1, 10, 19

The subject matters of claims 1, 10, 19 differ from these prior art documents in including an inertia ring, mounting pad assemblies and auxiliary bearing. And these features are not obvious to a person skilled in the art by the documents, taken alone or in combination. Therefore, claims 1, 10, 19 meet the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

1.2 Dependent claims 2-9, 11-18, 20

Claims 2-9, 11-18, 20 are dependent on claims 1, 10, 19, respectively. Therefore, claims 2-9, 11-18, 20 meet the requirements of PCT Article 33(2) and (3).

2. Industrial Applicability

Claims 1-20 are industrially applicable under PCT Article 33(4).



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED
FEB 29 2012
OFFICE OF PETITIONS

Edmonds Nolte, PC
16815 ROYAL CREST DRIVE
SUITE 130
HOUSTON TX 77058

In re Application of	: DECISION ON REQUEST TO
Joseph A. TECZA et al.	: PARTICIPATE IN PCT-PPH PROGRAM
Application No. 12/900,629	: AND PETITION TO MAKE SPECIAL
Filed: October 8, 2010	: UNDER 37 CFR 1.102(a)
Atty. Docket No.: 42495.630	
For: AUXILIARY BEARING SYSTEM FOR MAGNETICALLY SUPPORTED	
ROTOR SYSTEM	

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed December 28, 2011, to make the above-identified application special.

The request is **GRANTED**.

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) at least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) examination of the U.S. application has not begun;

(6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;

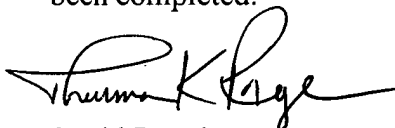
(7) applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications; and

(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427). All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to Technology Center Art Unit 3656 for action on the merits commensurate with this decision once the application's formality reviews have been completed.

A handwritten signature in black ink, appearing to read "David Bucci", with a stylized flourish at the end.

David Bucci
Petitions Examiner
Office of Petitions

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	12/900,638	Filing date:	08-OCT-2010
First Named Inventor:	William C. Maier		
Title of the Invention:	AUXILIARY BEARING SYSTEM WITH OIL RESERVOIR FOR MAGNETICALLY SUPPORTED ROTOR SYSTEM		
THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBS/DFS_HELP.HTML			

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/051930

The international filing date of the corresponding PCT application(s) is/are: 08-October-2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**



Is attached.



Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**



Is attached.



Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	12/900,638
First Named Inventor:	William C. Maier

- ☒

Is attached

7

Has already been filed in the above-identified U.S. application on

- ☒

Are attached.

1

Have already been filed in the above-identified U.S. application on

[illegible]

Signature <i>/N. Alexander Nolte/</i>	Date December 28, 2011
Name (Print/Typed) N. Alexander Nolte	Registration Number 45,689

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(54) Title: AUXILIARY BEARING SYSTEM WITH OIL RESERVOIR FOR MAGNETICALLY SUPPORTED ROTOR SYSTEM

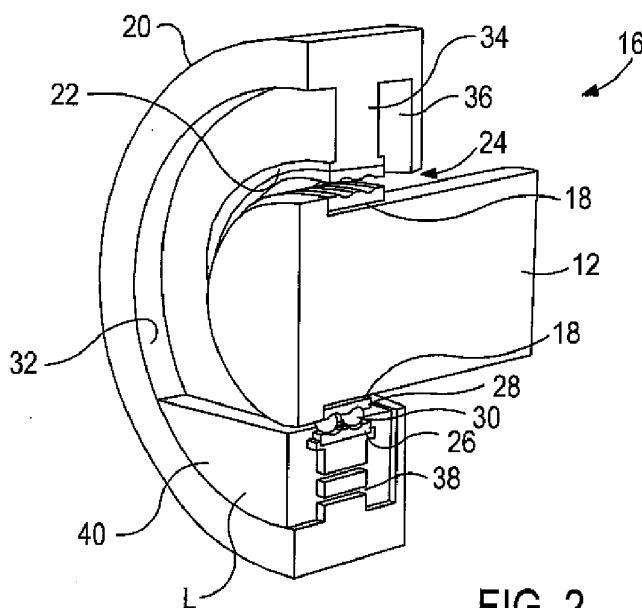


FIG. 2

(57) Abstract: An auxiliary bearing including a bearing mount disposed circumferentially about a shaft. A support wall may extend radially inward from the bearing mount, and the support wall may define a first annular cavity. An outer race may be coupled to a radially inner surface of the support wall. An inner race may be rotatably coupled to the outer race, and a plurality of rolling elements may be disposed between the inner and outer races. A pool of lubricant may be disposed within the first annular cavity, and at least a lowermost one of the plurality of rolling elements may be at least partially disposed in the pool.

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AUXILIARY BEARING SYSTEM WITH OIL RESERVOIR FOR MAGNETICALLY SUPPORTED ROTOR SYSTEM

[0001] This application claims priority to U.S. Patent Application Serial No. 12/900,638 which was filed October 8, 2010 which claims priority to U.S. Patent Application Serial No. 61/250,417, which was filed October 9, 2009. These priority applications are hereby incorporated by reference in their entirety into the present application, to the extent that it is not inconsistent with the present application.

[0002] This disclosure relates in general to auxiliary bearing systems, and in particular to an auxiliary bearing system including a reservoir containing lubricant for lubricating and/or cooling the auxiliary bearing system.

[0003] In turbomachine systems, an auxiliary bearing system is used to support a shaft when a primary bearing system, such as a magnetic bearing system, fails. When the shaft drops, an inner race of the auxiliary bearing system engages the shaft, and the inner race and rolling elements supporting the inner race spin up to the speed of the shaft. This rapid acceleration causes a great amount of frictional heat in the auxiliary bearing system, which reduces the lifespan of the auxiliary bearing system.

[0004] Lubricant can be supplied to the auxiliary bearing system to reduce the heat generated during a drop event. However conventional lubrication systems do not supply an adequate supply of lubricant in a timely manner. Therefore, what is needed is an auxiliary bearing system capable of providing lubricant for lubricating and/or cooling the auxiliary bearing system during a drop event.

[0005] Embodiments of the disclosure may provide an auxiliary bearing. The auxiliary bearing may include a bearing mount disposed circumferentially about a shaft. A support wall may extend radially inward from the bearing mount and define a first annular cavity. An outer race may be coupled to a radially inner surface of the support wall. An inner race may be rotatably coupled to the outer race, and a plurality of rolling elements may be disposed between the inner and outer races. A pool of lubricant may be disposed within the first annular cavity, and a lowermost one of the plurality of rolling elements may be at least partially disposed in the pool.

[0006] Embodiments of the disclosure may further provide another auxiliary bearing. The auxiliary bearing may include a bearing mount disposed circumferentially about a shaft. A support wall may extend radially inward from the bearing mount and define a first annular cavity. An outer race may be coupled to a radially inner surface of the support wall. An inner race may be rotatably coupled to the outer race, and a plurality of rolling elements may be disposed

between the inner and outer races. A pool of lubricant may be disposed within the first annular cavity. A slinger may be coupled to or integral with the inner race, and an end of the slinger, distal the inner race, may be adapted to collect lubricant from the pool.

[0007] Embodiments of the disclosure may further provide a method of supporting a shaft with an auxiliary bearing. The method may include engaging the shaft with an inner race of a roller element bearing. The method may also include rotating the inner race in response to the rotation of the shaft. The method may further include rotating a slinger in response to the rotation of the inner race, and the slinger may be coupled to or integrated with the inner race. The method may further include collecting lubricant in a pocket of the slinger. The method may further include scooping the lubricant out of the pocket with a fin.

Brief Description of the Drawings

[0008] The present disclosure is best understood from the following detailed description when read with the accompanying Figures. It is emphasized that, in accordance with the standard practice in the industry, various features are not drawn to scale. In fact, the dimensions of the various features may be arbitrarily increased or reduced for clarity of discussion.

[0009] Figure 1 is a schematic elevational view of a rotor system according to an exemplary embodiment, the rotor system including a shaft, a magnetic bearing system and an auxiliary bearing system in an operational orientation when the shaft is levitated by the magnetic bearing system.

[0010] Figure 2 is a cut-away perspective view of a portion of the shaft and an auxiliary bearing structure shown in Figure 1, the auxiliary bearing structure being in an operational configuration in which the shaft is de-levitated.

[0010] Figure 3 is an enlarged scale detail view of a lower portion of the Figure 2 auxiliary bearing structure.

[0011] Figure 4 is a cross-sectional view of a portion of the de-levitated shaft and another exemplary embodiment of the Figure 2 auxiliary bearing structure.

[0012] Figure 5 is an enlarged scale detail view of a lower portion of the Figure 4 auxiliary bearing structure.

[0013] Figure 6 is an enlarged scale detail view of an upper portion of the Figure 4 auxiliary bearing structure.

[0014] Figure 7 is a flow chart illustration of a method of supporting a shaft with an auxiliary bearing, according to an exemplary embodiment.

Detailed Description

[0015] It is to be understood that the following disclosure describes several exemplary embodiments for implementing different features, structures, or functions of the invention. Exemplary embodiments of components, arrangements, and configurations are described below to simplify the present disclosure, however, these exemplary embodiments are provided merely as examples and are not intended to limit the scope of the invention. Additionally, the present disclosure may repeat reference numerals and/or letters in the various exemplary embodiments and across the Figures provided herein. This repetition is for the purpose of simplicity and clarity and does not in itself dictate a relationship between the various exemplary embodiments and/or configurations discussed in the various Figures. Moreover, the formation of a first feature over or on a second feature in the description that follows may include embodiments in which the first and second features are formed in direct contact, and may also include embodiments in which additional features may be formed interposing the first and second features, such that the first and second features may not be in direct contact. Finally, the exemplary embodiments presented below may be combined in any combination of ways, i.e., any element from one exemplary embodiment may be used in any other exemplary embodiment, without departing from the scope of the disclosure.

[0016] Additionally, certain terms are used throughout the following description and claims to refer to particular components. As one skilled in the art will appreciate, various entities may refer to the same component by different names, and as such, the naming convention for the elements described herein is not intended to limit the scope of the invention, unless otherwise specifically defined herein. Further, the naming convention used herein is not intended to distinguish between components that differ in name but not function. Further, in the following discussion and in the claims, the terms "including" and "comprising" are used in an open-ended fashion, and thus should be interpreted to mean "including, but not limited to." All numerical values in this disclosure may be exact or approximate values unless otherwise specifically stated. Accordingly, various embodiments of the disclosure may deviate from the numbers, values, and ranges disclosed herein without departing from the intended scope.

[0017] In an exemplary embodiment, as illustrated in Figure 1, a rotor system is generally referred to by the reference numeral 10 and includes a shaft 12 normally supported by an active magnetic bearing system 14. When the magnetic bearing system 14 is unable to support the shaft 12, an auxiliary bearing system 16 is configured to support the shaft 12. The magnetic bearing system 14 and the auxiliary bearing system 16 are positioned at one or more axially-spaced locations along the shaft 12 including, but not limited to, opposing end portions of the

shaft 12. The auxiliary bearing system 16 may be disposed either inboard or outboard from the magnetic bearing system 14, depending on the specific application, as would be familiar to one skilled in the art. In several exemplary embodiments, the rotor system 10 includes, or is part of, a turbomachine such as, for example, a compressor, turbine, or expander.

[0018] When the magnetic bearing system 14 is supporting the shaft 12, the shaft 12 is levitated relative to the auxiliary bearing system 16, as shown by the arrow 17 in Figure 1, and a radial clearance 18 exists between the shaft 12 and the auxiliary bearing system 16. When the magnetic bearing system 14 fails, de-levitation of the rotating shaft 12 occurs, and the shaft 12 drops down onto the auxiliary bearing system 16, causing the auxiliary bearing system 16 to support the shaft 12 in a stable position, thereby allowing for safe coast down to stop the rotor system 10.

[0019] As illustrated in Figures 2 and 3, the exemplary auxiliary bearing system 16 includes a stationary, hollow bearing mount 20 of a representatively circular shape with a central circular opening 22, through which the shaft 12 extends. A rolling element bearing 24 may be mounted within the bearing mount 20. Specifically, an outer race 26 of the rolling element bearing 24 may be coupled to an inner surface of the bearing mount 20 circumferentially along the circular opening 22. When the active magnetic bearing system 14 (see Figure 1) supports the shaft 12, the radial clearance 18 may be defined between the shaft 12 and an inner race 28 of the rolling element bearing 24. However, when the active magnetic bearing system 14 is not supporting the shaft 12, the shaft 12 may drop and engage the inner race 28 of the rolling element bearing 24. The inner race 28 may be rotatably coupled to the outer race 26 such that the inner race 28 is adapted to rotate relative to the stationary outer race 26 when the shaft 12 engages the inner race 28. Rolling elements 30 disposed between the inner and outer races 26,28 facilitate the

relative rotation of the inner race 28 with respect to the outer race 26. In several exemplary embodiments, instead of the rolling element bearing 24, various other types of bearings may be mounted within the bearing mount 20.

[0020] Opposing annular grooves 32 extend around the interior of the bearing mount 20. A central radial support wall 34 extends radially inward from the bearing mount 20 and defines one or more annular cavities 36 within the bearing mount 20. A series of openings 38 may be disposed through a lower portion of the support wall 34, thereby providing fluid communication between the annular cavities 36. The lower portion of the annular cavity 36 forms a reservoir 40 which may be at least partially filled with a pool of suitable lubricant L, for example lubricating oil. In an exemplary embodiment, the lowermost rolling elements 30 are in contact with the lubricant L. For example, the level of the pool of lubricant L may be at or about the center of the lowermost rolling elements 30. However, as can be appreciated, the level of the pool of lubricant L may vary depending on the amount of lubricant L to be distributed within the auxiliary bearing system 16. When the active magnetic bearing system 14 is supporting the shaft 12, the lubricant L is not (or is minimally) disturbed by the rotation of the shaft 12, and instead forms a quiescent pool in the reservoir 40. When the auxiliary bearing system 16 is supporting the rotating shaft 12, the moving parts of the auxiliary bearing system 16 provide a continuous flow of lubrication through the auxiliary bearing system 16.

[0021] Oil seals (not illustrated) may extend radially inward from opposing inside surfaces of the bearing mount 20 and sealingly engage the shaft 12 where it enters the bearing mount 20. In an exemplary embodiment, one or more of the oil seals includes a suitable brush-type seal configured to accommodate shaft de-levitation without damage. In several exemplary embodiments, instead of, or in addition to brush seals, the oil seals may include one or more lip seals, other types of seals, and/or combinations thereof.

[0022] In operation, when the active magnetic bearing system 14 is supporting the rotating shaft 12, the shaft 12 is levitated relative to the auxiliary bearing system 16. Due to the radial clearance 18 between the shaft 12 and the inner race 28 of the roller element bearing 24, there may be little or no relative rotation between the stationary outer race 26 and the inner race 28; thus, there may be little or no disturbance of the lubricant L in the reservoir 40 by the rotation of the shaft 12. In an exemplary embodiment, during operation of the rotor system 10 with the magnetic bearing active, components of the auxiliary bearing system 16, including at least the inner race 28, may not rotate or spin within the bearing mount 20.

[0023] When the magnetic bearing system fails, de-levitation of the shaft 12 occurs, the shaft 12 drops down onto the inner race 28, and the inner race 28 engages and supports the weight

of the shaft 12. When the rotating shaft 12 engages the inner race 28, the rotating shaft 12 causes the inner race 28 to rotate (spin up). When the inner race 28 rotates, the lowermost rolling elements 30 that are at least partially submerged in the lubricant L in the reservoir 40 rotate or spin and pick up oil as they pass through the reservoir 40, thus distributing the lubricant L to the rotating inner race 28 by a splashing or carrying action. When the lubricant L is distributed to the inner race 28, the inner race 28 may distribute the lubricant L throughout the interior of the rolling element bearing 24. The lubricant L serves to lubricate and cool the rolling element bearing 24, thereby greatly extending the operating time of the auxiliary bearing system 16. The oil seals accommodate the de-levitation of the shaft 12, maintaining their respective sealing engagements with the shaft 12.

[0024] The auxiliary bearing system 16 thus has a built-in lubrication system that works only when the auxiliary bearing system 16 and/or one or more components thereof is actively spinning and supporting the rotating shaft 12. The lubricant L circulation during the operation of the auxiliary bearing system 16 is passive. The auxiliary bearing system 16 self-actuates during the drop of the shaft 12 or during a coast-down event. The use of liquid lubricant L provides cooling as well as lubrication for the auxiliary bearing system 16, and as a result, risks associated with thermal growths and overheating of the bearing elements are minimized. The auxiliary bearing system 16 is relatively small, self-contained, and can be easily installed within the overall rotor system 10.

[0025] In an exemplary embodiment, the rotor system 10 may be located in a relatively isolated area such as, for example, a sub-sea installation. If the magnetic bearing system 14 normally supporting the shaft 12 fails, the auxiliary bearing system 16 can accommodate or support the rotating shaft 12 for an extended period of time such as, for example, three or four weeks, until the rotor system 10 is reached by a repair crew and the magnetic bearing system 14 is repaired and/or replaced (and, in some embodiments, until the auxiliary bearing system 16 and/or other components of the rotor system 10 are also repaired and/or replaced). In an exemplary embodiment, the auxiliary bearing system 16 can accommodate or support the rotating or spinning shaft 12 at a reduced load for an extended period of time such as, for example, three or four weeks. This desirable ability of the auxiliary bearing system 16 to operate for extended time periods is facilitated by the provision of the communication openings 38 in the internal bearing mount support wall 34 which aid in the dissipation of operating heat of the bearing 24 to the bearing mount or housing 20.

[0026] Figures 4, 5, and 6 depict another illustrative auxiliary bearing system 60, according to one or more embodiments. The auxiliary bearing system 60 shown in Figures 4-6 is similar to

the auxiliary bearing system 16 shown in Figures 1-3, and like reference numerals are used to indicate like parts. The auxiliary bearing system 60 includes a circular slinger 64 that is attached to and concentric with the inner race 28 and is adapted to rotate with the inner race 28. The slinger 64 may be positioned on one or both sides of the auxiliary bearing system 60. The slinger 64 is at least partially submerged in the lubricant L in the reservoir 40. The slinger 64 may have an annular groove or pocket 66 on the radially inner side of the slinger, distal the inner race 28. One or more scoop shaped fins 68 may be fixedly attached to the support wall 34 and disposed in the upper half of the auxiliary bearing system 16, opposite the reservoir 40 (see Figures 2 and 3). The remainder of the auxiliary bearing system 60 is substantially similar to the previously described auxiliary bearing system 16, and therefore the remainder of the auxiliary bearing system 16 will not be described in detail.

[0027] In an exemplary embodiment, during the operation of the rotor system 10 containing the auxiliary bearing system 60, when one or more of the magnetic bearing systems 14 fail, the shaft 12 drops onto the inner race 28 causing the inner race 28 to spin up or rotate. When the inner race 28 rotates, the slinger 64, which is fixedly attached to the inner race 28, rotates and collects lubricant L from the reservoir 40 within the slinger pocket 66. As the slinger 64 continues to rotate, a portion of the lubricant L trapped in the slinger pocket 66 is scooped away from the slinger pocket 66 by the stationary fin 68 and directed, both with its own inertia and with the aid of gravity, toward the roller element bearing 24. The lubricant L enters the roller element bearing 24 via the annular bearing space 70, lubricating the roller element bearing 24, and then drains back to the reservoir 40.

[0028] The length of the slinger 64 can be varied, allowing for variations in the lubricant L level in the reservoir 40 without compromising lubricating performance. The rate and location of flow of the lubricant L into the bearing 24 can be optimized with customization of the fins 68, including the geometry, number, and location of the fins 68. The amount of lubricant L flowing into the annular bearing space 70 can also be optimized by suitably designing the cross-sectional size of the pocket 66.

[0029] Figure 7 is a flow chart illustration of a method 700 of supporting a shaft with an auxiliary bearing, according to an exemplary embodiment. The method 700 includes engaging the shaft with an inner race of a roller element bearing, as shown at 702. The method 700 also includes rotating the inner race in response to the rotation of the shaft, as shown at 704. The method 700 further includes rotating a slinger in response to the rotation of the inner race, the slinger being coupled to or integrated with the inner race, as shown at 706. The method 700 further includes collecting lubricant in a pocket of the slinger, as shown at 708. The method 700

further includes scooping the lubricant out of the pocket with a fin, as shown at 710.

[0030] Although the present disclosure has described embodiments relating to specific turbomachinery, it is understood that the apparatus, systems and methods described herein could applied to other environments. For example, according to another exemplary embodiment, rotating machinery that is driven by a turbomachine may be configured to use embodiments of the auxiliary bearing systems described above.

[0031] The foregoing has outlined features of several embodiments so that those skilled in the art may better understand the detailed description that follows. Those skilled in the art should appreciate that they may readily use the present disclosure as a basis for designing or modifying other processes and structures for carrying out the same purposes and/or achieving the same advantages of the embodiments introduced herein. Those skilled in the art should also realize that such equivalent constructions do not depart from the spirit and scope of the present disclosure, and that they may make various changes, substitutions and alterations herein without departing from the spirit and scope of the present disclosure.

Claims

What is claimed is:

1. An auxiliary bearing, comprising:
 - a bearing mount disposed circumferentially about a shaft;
 - a support wall extending radially inward from the bearing mount, the support wall defining a first annular cavity;
 - an outer race coupled to a radially inner surface of the support wall;
 - an inner race rotatably coupled to the outer race, wherein a radial clearance is defined between the shaft and the inner race when a primary bearing is supporting the shaft;
 - a plurality of rolling elements disposed between the inner and outer races; and
 - a pool of lubricant disposed within the first annular cavity, wherein at least a lowermost one of the plurality of rolling elements is at least partially disposed in the pool.
2. The auxiliary bearing of claim 1, further comprising a second annular cavity axially offset from the first annular cavity.
3. The auxiliary bearing of claim 2, wherein a plurality of openings are defined in the support wall and allow fluid communication between the first and second annular cavities.
4. The auxiliary bearing of claim 1, wherein a level of the pool of lubricant is at about a center of the lowermost one of the plurality of rolling elements.
5. The auxiliary bearing of claim 1, wherein a level of the pool of lubricant is varied to adjust an amount of the lubricant distributed within the auxiliary bearing.
6. The auxiliary bearing apparatus of claim 1, wherein the lubricant is oil.
7. An auxiliary bearing, comprising:
 - a bearing mount disposed circumferentially about a shaft;
 - a support wall extending radially inward from the bearing mount, the support wall defining a first annular cavity;
 - an outer race coupled to a radially inner surface of the support wall;

an inner race rotatably coupled to the outer race, wherein a radial clearance is defined between the shaft and the inner race when a primary bearing is supporting the shaft;
a plurality of rolling elements disposed between the inner and outer races;
a pool of lubricant disposed within the first annular cavity; and
a slinger coupled to or integral with the inner race, wherein an end of the slinger, distal the inner race, is adapted to collect lubricant from the pool.

8. The auxiliary bearing of claim 7, wherein a length of the slinger is varied to adjust an amount of the lubricant collected.

9. The auxiliary bearing of claim 7, further comprising a pocket formed in the end of the slinger distal the inner race.

10. The auxiliary bearing of claim 9, wherein the pocket is formed in a radially inner side of the slinger.

11. The auxiliary bearing of claim 10, wherein a cross-sectional area of the pocket is varied to adjust an amount of the lubricant collected.

12. The auxiliary bearing of claim 7, further comprising at least one fin disposed within the auxiliary bearing and adapted to scoop the lubricant out of the slinger.

13. The auxiliary bearing of claim 12, wherein the at least one fin is coupled to or integral with the bearing mount.

14. The auxiliary bearing of claim 12, wherein the at least one fin is disposed in an upper half of the auxiliary bearing, with respect to gravity.

15. The auxiliary bearing of claim 12, wherein at least one of a geometry, number, and location of the at least one fin is varied to adjust an amount of the lubricant collected.

16. A method of supporting a rotating shaft with an auxiliary bearing, comprising:
engaging the shaft with an inner race of a roller element bearing;
rotating the inner race in response to the rotation of the shaft;

rotating a slinger in response to the rotation of the inner race, the slinger being coupled to or integrated with the inner race;

collecting lubricant in a pocket of the slinger; and

scooping the lubricant out of the pocket with a fin.

17. The method of claim 16, wherein the pocket is formed in an end of the slinger distal the inner race, and wherein the pocket is formed on a radially inner side of the slinger.

18. The method of claim 17, wherein collecting the lubricant in the pocket of the slinger further comprises:

collecting the lubricant in the pocket of the slinger from a reservoir, wherein the reservoir is defined by a bearing mount disposed circumferentially about the shaft and a support wall extending radially inward from the bearing mount.

19. The method of claim 18, further comprising:

lubricating the roller element bearing with the lubricant after the lubricant is scooped out of the pocket.

20. The method of claim 19, further comprising:

draining the lubricant into the reservoir from the roller element bearing.

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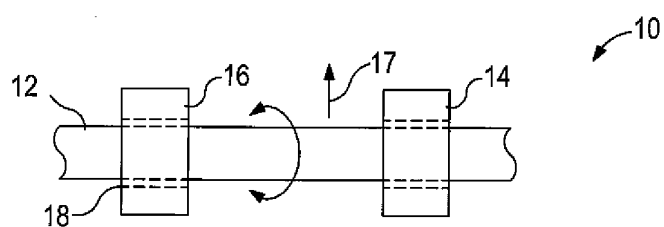


FIG. 1

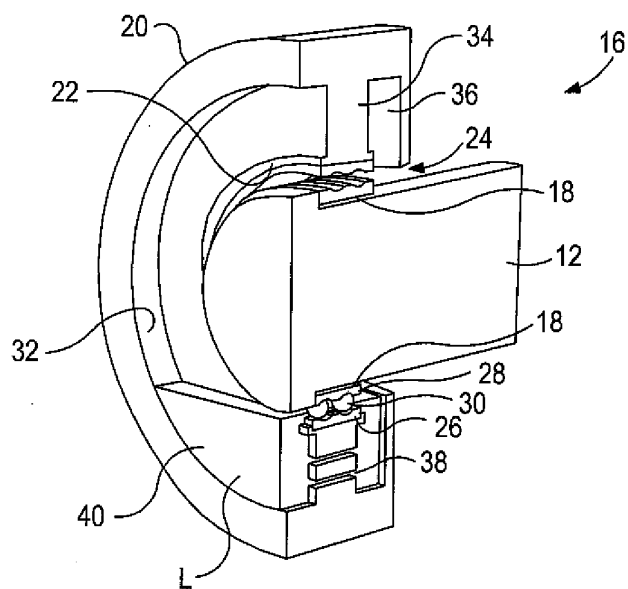


FIG. 2

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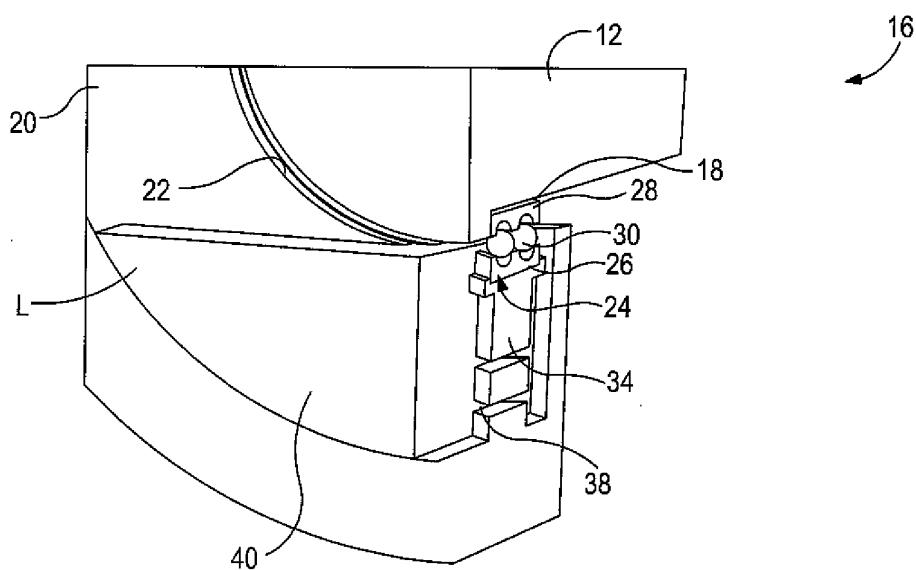


FIG. 3

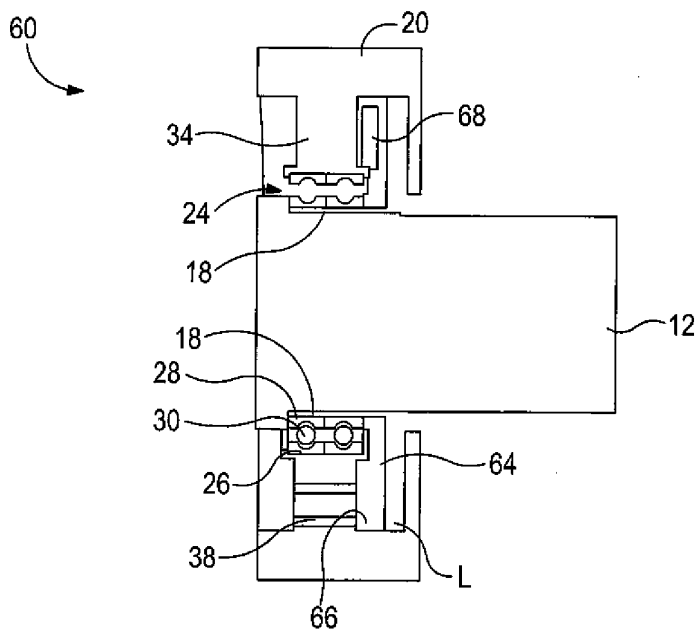


FIG. 4

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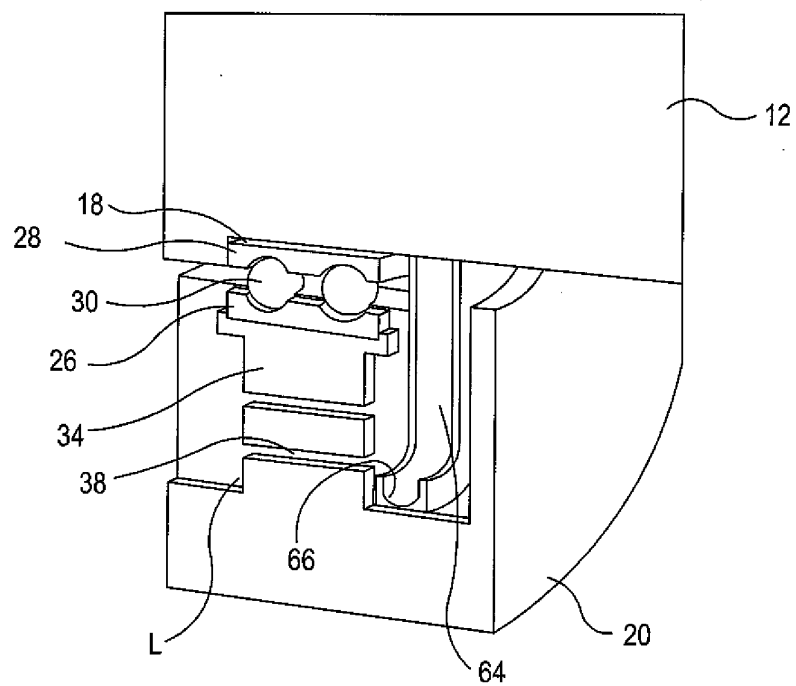


FIG. 5

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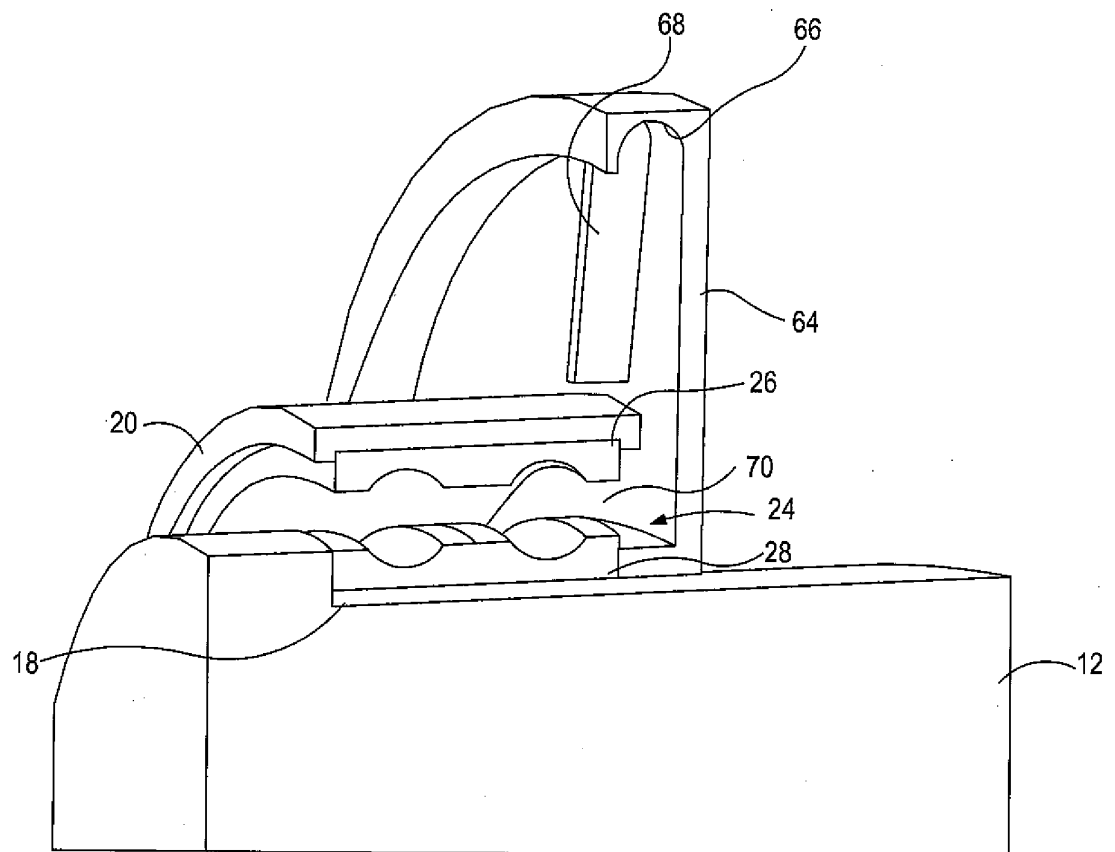


FIG. 6

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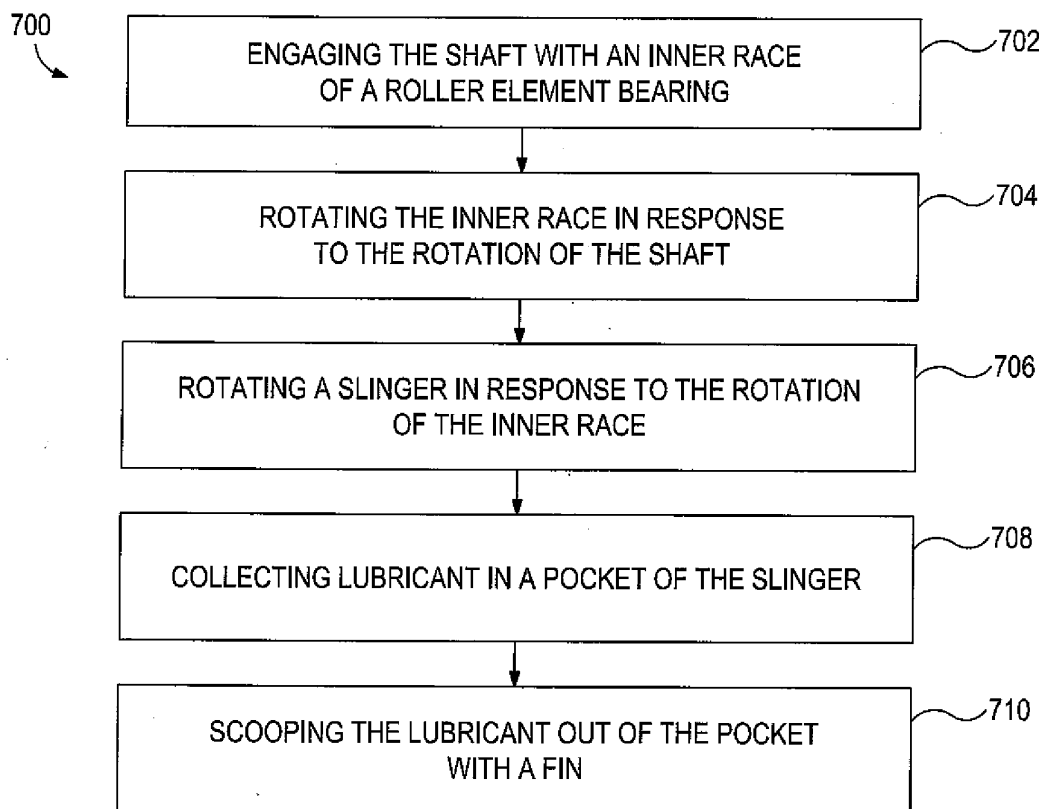


FIG. 7

PATENT COOPERATION TREATY

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To:

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THE WRITTEN OPINION OF THE INTERNATIONAL
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Applicant

DRESSER-RAND COMPANY et al

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70**For more detailed instructions, see** *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to any protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.
☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the PCT Applicant's Guide, National Chapters.

Name and mailing address of the ISA/KR

Korean Intellectual Property Office
Government Complex-Daejeon, 189 Cheongsu-ro,
Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

COMMISSIONER

Telephone No. 82-42-481-8754



*** Attention**

Copies of the documents cited in the international search report can be searched in the following Korean Intellectual Property Office English website for three months from the date of mailing of the international search report.

<http://www.kipo.go.kr/en/> => PCT Services => PCT Services

ID : PCT international application number
PW : **DTNBSBVV**

Inquiries related to PCT International Search Report or Written Opinion prepared by KIPO as an International Searching Authority can be answered not only by KIPO but also through IPKC (Intellectual Property Korea Center), located in Vienna, VA, which functions as a PCT Help Desk for PCT applicants.

Homepage: <http://www.ipkcenter.com>
Email: ipkc@ipkcenter.com
Phone: +1 703 388 1066
Fax: +1 703 388 1084

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 42495--633	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2010/051930	International filing date (<i>day/month/year</i>) 08 OCTOBER 2010 (08.10.2010)	(Earliest) Priority Date (<i>day/month/year</i>) 09 OCTOBER 2009 (09.10.2009)
Applicant DRESSER-RAND COMPANY et al		

This International search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. ☐ This international search report has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box No. II)

3. ☐ Unity of invention is lacking (See Box No. III)

4. With regard to the title,

- ☒ the text is approved as submitted by the applicant.
☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- ☒ the text is approved as submitted by the applicant.
☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 2
☒ as suggested by the applicant.
☐ as selected by this Authority, because the applicant failed to suggest a figure.
☐ as selected by this Authority, because this figure better characterizes the invention.
 b. ☐ none of the figure is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2010/051930**A. CLASSIFICATION OF SUBJECT MATTER***F16C 33/66(2006.01)i, F16C 33/30(2006.01)i, F16C 33/00(2006.01)i, F16C 33/58(2006.01)i, F16C 35/063(2006.01)i, F16C 19/08(2006.01)i, F16C 32/06(2006.01)i*

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

F16C 33/66; F04B 35/04; F16C 33/10; F16C 39/06; F16C 19/26; F16C 33/58; H02K 5/16

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Korean utility models and applications for utility models

Japanese utility models and applications for utility models

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

eKOMPASS(KIPO internal) & Keywords: auxiliary, emergency, back-up, bearing, oil, reservoir, pool

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 05083053 A (NEW, NIGEL H.) 21 January 1992 See abstract, column 3, line 39 - column 5, line 8 and figures 1,2.	1-20
A	US 04657414 A (STELLA, LEO) 14 April 1987 See abstract, column 1, line 39 - column 2, line 39 and figures 1-3.	1-20
A	US 2007-0036476 A1 (LANE, JOHN et al.) 15 February 2007 See abstract, paragraphs 30-35 and figures 2-5.	1-20
A	US 06078120 A (CASARO, FAUSTO et al.) 20 June 2000 See abstract, column 2, line 59 - column 3, line 25 and figure 4.	1-20

☐ Further documents are listed in the continuation of Box C.☒ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

30 JUNE 2011 (30.06.2011)

Date of mailing of the international search report

30 JUNE 2011 (30.06.2011)

Name and mailing address of the ISA/KR

Korean Intellectual Property Office
Government Complex-Daejeon, 189 Cheongsu-ro,
Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

SHIN, DONG HYUK

Telephone No. 82-42-481-5525



INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/US2010/051930

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 05083053 A	21.01.1992	EP 0411695 A2 GB 2234560 A JP 03-069816 A	06.02.1991 06.02.1991 26.03.1991
US 04657414 A	14.04.1987	JP 07-042984 B2 JP 2026826 C JP 62-224723 A	15.05.1995 26.02.1996 02.10.1987
US 2007-0036476 A1	15.02.2007	US 7581888 B2	01.09.2009
US 06078120 A	20.06.2000	None	

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

NOLTE N. ALEXANDER

EDMONDS & NOLTE, PC 10411 WESTHEIMER ROAD
SUITE 201 HOUSTON TX 77042 USA

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) 30 JUNE 2011 (30.06.2011)

Applicant's or agent's file reference
42495--633

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/US2010/051930

International filing date (day/month/year)

08 OCTOBER 2010 (08.10.2010)

Priority date(day/month/year)

09 OCTOBER 2009 (09.10.2009)

International Patent Classification (IPC) or both national classification and IPC

F16C 33/66(2006.01)i, F16C 33/30(2006.01)i, F16C 33/00(2006.01)i, F16C 33/58(2006.01)i, F16C 35/063(2006.01)i, F16C
19/08(2006.01)i, F16C 32/06(2006.01)i

Applicant

DRESSER-RAND COMPANY et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR
Korean Intellectual Property Office
Government Complex-Daejeon, 189
Cheongsu-ro, Seo-gu, Daejeon 302-
701, Republic of Korea
Facsimile No. 82-42-472-7140

Date of completion of this opinion

30 JUNE 2011 (30.06.2011)

Authorized officer

SHIN, DONG HYUK

Telephone No.82-42-481-5525



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US2010/051930

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of:

a. a sequence listing filed or furnished

- ☐ on paper
- ☐ in electronic form

b. time of filing or furnishing

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2010/051930

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1-20	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-20	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:

D1: US 05083053 A (NEW, NIGEL H.) 21 January 1992
D2: US 04657414 A (STELLA, LEO) 14 April 1987
D3: US 2007-0036476 A1 (LANE, JOHN et al.) 15 February 2007
D4: US 06078120 A (CASARO, FAUSTO et al.) 20 June 2000

1. Novelty and Inventive Step

1.1 Independent claims 1, 7, 16

The subject matters of claims 1, 7, 16 differ from these prior art documents in including an auxiliary bearing, a support wall defining a first annular cavity and a pool of lubricant disposed within the first annular cavity. And these features are not obvious to a person skilled in the art by the documents, taken alone or in combination. Therefore, claims 1, 7, 16 meet the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

1.2 Dependent claims 2-6, 8-15, 17-20

Claims 2-6, 8-15, 17-20 are dependent on claims 1, 7, 16, respectively. Therefore, claims 2-6, 8-15, 17-20 meet the requirements of PCT Article 33(2) and (3).

2. Industrial Applicability

Claims 1-20 are industrially applicable under PCT Article 33(4).



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

Edmonds Nolte, PC
16815 ROYAL CREST DRIVE
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HOUSTON TX 77058

MAILED
FEB 03 2012
OFFICE OF PETITIONS

In re Application of : DECISION ON REQUEST TO
William C. MAIER et al. : PARTICIPATE IN PCT-PPH PROGRAM
Application No. 12/900,638 : AND PETITION TO MAKE SPECIAL
Filed: October 8, 2010 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: 42495.632
For: AUXILIARY BEARING SYSTEM WITH OIL RESERVOIR FOR
MAGNETICALLY SUPPORTED ROTOR SYSTEM

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed December 28, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT -PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) at least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;


(4) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

- (5) examination of the U.S. application has not begun;
- (6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;
- (7) applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications; and
- (8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427). All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to Technology Center Art Unit 3656 for action commensurate with this decision.


RAMESH KRISHNAMURTHY
for David Bucci
Petitions Examiner
Office of Petitions

Claims

What is claimed is:

1. An auxiliary bearing system for supporting a rotating shaft, comprising:
 - a first auxiliary bearing coupled to the rotating shaft;
 - a first inertia ring coupled to and circumscribing the first auxiliary bearing;
 - a second inertia ring circumscribing the first inertia ring, wherein a radial clearance is defined between the first and second inertia rings when the rotating shaft is supported by a primary bearing system, and wherein the first inertia ring engages the second inertia ring when the rotating shaft is not supported by the primary bearing system; and
 - a second auxiliary bearing engaged with an outer surface of the second inertia ring.
2. The auxiliary bearing system of claim 1, wherein the primary bearing system is a magnetic bearing system.
3. The auxiliary bearing system of claim 1, wherein the first auxiliary bearing comprises:
 - an inner annular race coupled to the shaft;
 - a plurality of rolling elements disposed circumferentially around the inner annular race; and
 - an outer annular race extending circumferentially around the plurality of rolling elements.
4. The auxiliary bearing system of claim 1, wherein the second inertia ring is configured to receive a force from the first inertia ring when the primary bearing system fails to maintain the rotating shaft in a magnetically levitated position.
5. The auxiliary bearing system of claim 4, further comprising:
 - at least one friction pad coupled to the second inertia ring and configured to transfer the force from the first inertia ring to the second inertia ring.
6. The auxiliary bearing system of claim 1, wherein the second auxiliary bearing comprises inner and outer concentric annular races, the outer race being rotatable in response to rotation of the second inertia ring.

7. A method for supporting a rotating shaft, comprising:
 - coupling a first auxiliary bearing to the rotating shaft, wherein the rotating shaft is normally supported by a primary bearing system;
 - coupling a first inertia ring to the first auxiliary bearing;
 - extending a second inertia ring circumferentially around the first inertia ring, wherein a radial clearance is defined between the first and second inertia rings when the rotating shaft is supported by the primary bearing system, and wherein the first inertia ring engages the second inertia ring when the rotating shaft is not supported by the primary bearing system;
 - engaging a second auxiliary bearing with the second inertia ring; and
 - supporting the rotating shaft with the first auxiliary bearing and the second auxiliary bearing when the primary bearing system fails to maintain the rotating shaft in a magnetically levitated position.
8. The method of claim 7, wherein the primary bearing system is a magnetic bearing system.
9. The method of claim 7, wherein the first auxiliary bearing comprises:
 - an inner annular race circumscribing the shaft;
 - a plurality of rolling elements disposed circumferentially around the inner annular race; and
 - an outer annular race extending circumferentially around the plurality of rolling elements.
10. The method of claim 7, wherein supporting the rotating shaft with the first auxiliary bearing and the second auxiliary bearing comprises:
 - transferring a force from the first inertia ring to the second inertia ring.
11. The method of claim 10, wherein transferring the force from the first inertia ring to the second inertia ring comprises:
 - transferring the force from the first inertia ring to the second inertia ring via at least one friction pad.
12. The method of claim 7, wherein the second auxiliary bearing comprises a rotatably supported ring; and
 - wherein engaging the second auxiliary bearing with the second inertia ring comprises tangentially engaging the rotatably supported ring with the second inertia ring.

13. The method of claim 12, wherein the rotatably supported ring rotates in response to rotation of the second inertia ring.
14. A rotor system, comprising:
a rotating shaft;
a magnetic bearing system positioned to support the shaft during normal operation; and
an auxiliary bearing system positioned along the shaft and comprising a first inertia ring rotating with the shaft during normal operation and a second inertia ring circumscribing the first inertia ring and not rotating during normal operation, the auxiliary bearing system being configured to support the shaft when the magnetic bearing system fails to support the shaft.
15. The rotor system of claim 14, wherein the auxiliary bearing system further comprises:
a first auxiliary bearing coupled to the shaft, the first inertia ring being coupled to and circumscribing the first auxiliary bearing; and
a second auxiliary bearing engaged with an outer surface of the second inertia ring.
16. The rotor system of claim 15, wherein the first auxiliary bearing comprises:
an inner annular race coupled to the shaft;
a plurality of rolling elements disposed circumferentially around the inner annular race; and
an outer annular race extending circumferentially around the plurality of rolling elements.
17. The rotor system of claim 15, wherein the second auxiliary bearing comprises concentric inner and outer annular races, the outer annular race being rotatable in response to rotation of the second inertia ring.
18. The rotor system of claim 14, wherein the second inertia ring is configured to receive a force from the first inertia ring when the magnetic bearing system fails to support the shaft.
19. The rotor system of claim 18, further comprising:
at least one friction pad coupled to the second inertia ring, wherein the at least one friction pad is configured to transfer the force from the first inertia ring to the second inertia ring.

20. A method for supporting a rotating shaft, comprising:
- engaging an inner inertia ring with a friction pad when a magnetic bearing system cannot support the rotating shaft, the inner inertia ring being coupled to and circumscribing a first auxiliary bearing, and the first auxiliary bearing being coupled to and circumscribing the rotating shaft;
 - rotating the friction pad and an outer inertia ring coupled to and circumscribing the friction pad in response to the engagement between the inner inertia ring and the friction pad; and
 - rotating an outer bearing ring of a second auxiliary bearing in response to the rotation of the outer inertia ring, the outer bearing ring being tangentially engaged with an outer surface of the outer inertia ring.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

NOLTE N. ALEXANDER

EDMONDS & NOLTE, PC 10411 WESTHEIMER ROAD
SUITE 201 HOUSTON TX 77042 USA

PCT

DOCKETED
803111NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing
(day/month/year) 30 JUNE 2011 (30.06.2011)Applicant's or agent's file reference
42495--635

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.
PCT/US2010/051932International filing date
(day/month/year)
08 OCTOBER 2010 (08.10.2010)

Applicant

DRESSER-RAND COMPANY et al

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70**For more detailed instructions, see PCT Applicant's Guide, International Phase, paragraphs 9.004 - 9.011.**

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

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☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.**4. Reminders**

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Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the PCT Applicant's Guide, National Chapters.

Name and mailing address of the ISA/KR

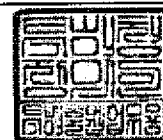
Korean Intellectual Property Office
Government Complex-Daejeon, 189 Cheongsu-ro,
Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

COMMISSIONER

Telephone No. 82-42-481-8753



* Attention

Copies of the documents cited in the international search report can be searched in the following Korean Intellectual Property Office English website for three months from the date of mailing of the international search report.

<http://www.kipo.go.kr/en/> => PCT Services => PCT Services

ID : PCT international application number
PW : 979VEZ3S

Inquiries related to PCT International Search Report or Written Opinion prepared by KIPO as an International Searching Authority can be answered not only by KIPO but also through IPKC (Intellectual Property Korea Center), located in Vienna, VA, which functions as a PCT Help Desk for PCT applicants.

Homepage: <http://www.ipkcenter.com>
Email: ipkc@ipkcenter.com
Phone: +1 703 388 1066
Fax: +1 703 388 1084

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 42495--635	FOR FURTHER ACTION		see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US2010/051932	International filing date (day/month/year) 08 OCTOBER 2010 (08.10.2010)	(Earliest) Priority Date (day/month/year) 09 OCTOBER 2009 (09.10.2009)	
Applicant DRESSER-RAND COMPANY et al			

This International search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. ☐ This international search report has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box No. II)

3. ☐ Unity of invention is lacking (See Box No. III)

4. With regard to the title,

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 2
- ☒ as suggested by the applicant.
- ☐ as selected by this Authority, because the applicant failed to suggest a figure.
- ☐ as selected by this Authority, because this figure better characterizes the invention.
- b. ☐ none of the figure is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2010/051932**A. CLASSIFICATION OF SUBJECT MATTER***F16C 33/00(2006.01)i, F16C 33/30(2006.01)i, F16C 35/00(2006.01)i, F16C 32/04(2006.01)i, F16C 19/06(2006.01)i*

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

F16C 33/00; H02K 7/09; H02K 7/08; F16C 39/06; H02K 5/16

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Korean utility models and applications for utility models

Japanese utility models and applications for utility models

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

eKOMPASS(KIPO internal) & Keywords: auxiliary, emergency, back-up, bearing, inertia, ring

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 05231323 A (NEW, NIGEL H.) 27 July 1993 See abstract, column 2, line 48 - column 4, line 66 and figure.	1-20
A	US 04982126 A (JOLIVET, JEAN et al.) 01 January 1991 See abstract, column 2, line 65 - column 3, line 51 and figure 1.	1-20
A	US 05083053 A (NEW, NIGEL H.) 21 January 1992 See abstract, column 3, line 39 - column 5, line 8 and figures 1,2.	1-20
A	US 05021697 A (KRALICK, JAMES H.) 04 June 1991 See column 1, line 65 - column 2, line 34 and figures 1-2A.	1-20

☐ Further documents are listed in the continuation of Box C.☒ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

30 JUNE 2011 (30.06.2011)

Date of mailing of the international search report

30 JUNE 2011 (30.06.2011)

Name and mailing address of the ISA/KR

Korean Intellectual Property Office
Government Complex-Daejeon, 189 Cheongsu-ro,
Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

SHIN, DONG HYUK

Telephone No. 82-42-481-5525



INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.
PCT/US2010/051932

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 05231323 A	27.07.1993	EP 0499310 A1	19.08.1992
US 04982126 A	01.01.1991	EP 0341137 A1	08.11.1989
		EP 0341137 B1	03.02.1993
		JP 07-035811 B2	19.04.1995
US 05083053 A	21.01.1992	EP 0411695 A2	06.02.1991
		GB 2234560 A	06.02.1991
		JP 03-069816 A	26.03.1991
US 05021697 A	04.06.1991	None	

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

NOLTE N. ALEXANDER

EDMONDS & NOLTE, PC 10411 WESTHEIMER ROAD
SUITE 201 HOUSTON TX 77042 USA

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) 30 JUNE 2011 (30.06.2011)

Applicant's or agent's file reference
42495--635

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/US2010/051932

International filing date (day/month/year)

08 OCTOBER 2010 (08.10.2010)

Priority date(day/month/year)

09 OCTOBER 2009 (09.10.2009)

International Patent Classification (IPC) or both national classification and IPC

F16C 33/00(2006.01)i, F16C 33/30(2006.01)i, F16C 35/00(2006.01)i, F16C 32/04(2006.01)i, F16C 19/06(2006.01)i

Applicant

DRESSER-RAND COMPANY et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR
Korean Intellectual Property Office
Government Complex-Daejeon, 189
Cheongsu-ro, Seo-gu, Daejeon 302-
701, Republic of Korea
Facsimile No. 82-42-472-7140



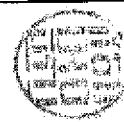
Date of completion of this opinion

30 JUNE 2011 (30.06.2011)

Authorized officer

SHIN, DONG HYUK

Telephone No. 82-42-481-5525



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US2010/051932

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of :

☒ the international application in the language in which it was filed

☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of:

a. a sequence listing filed or furnished

☐ on paper

☐ in electronic form

b. time of filing or furnishing

☐ contained in the international application as filed.

☐ filed together with the international application in electronic form.

☐ furnished subsequently to this Authority for the purposes of search.

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US2010/051932

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-20	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-20	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:

D1: US 05231323 A (NEW, NIGEL H.) 27 July 1993
D2: US 04982126 A (JOLIVET, JEAN et al.) 01 January 1991
D3: US 05083053 A (NEW, NIGEL H.) 21 January 1992
D4: US 05021697 A (KRALICK, JAMES H.) 04 June 1991

1. Novelty and Inventive Step

1.1 Independent claims 1, 7, 14, 20

The subject matters of claims 1, 7, 14, 20 differ from these prior art documents in including a first auxiliary bearing, a first inertia ring, a second inertia ring and a second auxiliary bearing engaged with an outer surface of the second inertia ring. And these features are not obvious to a person skilled in the art by the documents, taken alone or in combination. Therefore, claims 1, 7, 14, 20 meet the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

1.2 Dependent claims 2-6, 8-13, 15-19

Claims 2-6, 8-13, 15-19 are dependent on claims 1, 7, 14, respectively. Therefore, claims 2-6, 8-13, 15-19 meet the requirements of PCT Article 33(2) and (3).

2. Industrial Applicability

Claims 1-20 are industrially applicable under PCT Article 33(4).

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	12/900,648	Filing date:	08-OCT-2010
First Named Inventor:	William C. Maier		
Title of the Invention:	AUXILIARY BEARING SYSTEM WITH PLURALITY OF INERTIA RINGS FOR MAGNETICALLY SUPPORTED ROTOR SYSTEM		
THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBS/DFS_HELP.HTML			

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/051932

The international filing date of the corresponding PCT application(s) is/are: 08-October-2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**



Is attached.



Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**



Is attached.



Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

Application No.:	12/900,648
First Named Inventor:	William C. Maier

- ☒ Is attached
- ☐ Has already been filed in the above-identified U.S. application on

- ☒ Are attached.
- ☐ Have already been filed in the above-identified U.S. application on _____

[illegible]

Signature <u>/N. Alexander Nolte/</u>	Date <u>December 28, 2011</u>
Name (Print/Typed) <u>N. Alexander Nolte</u>	Registration Number <u>45,689</u>

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

Edmonds Nolte, PC
16815 ROYAL CREST DRIVE
SUITE 130
HOUSTON TX 77058

MAILED
FEB 14 2012
OFFICE OF PETITIONS

In re Application of	: DECISION ON REQUEST TO
William C. MAIER	: PARTICIPATE IN PCT-PPH PROGRAM
Application No. 12/900,648	: AND PETITION TO MAKE SPECIAL
Filed: October 8, 2010	: UNDER 37 CFR 1.102(a)
Atty. Docket No.: 42495.634	
For: AUXILIARY BEARING SYSTEM WITH PLURALITY OF INERTIA RINGS FOR MAGNETICALLY SUPPORTED ROTOR SYSTEM	

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed December 28, 2011, to make the above-identified application special.

The request is **GRANTED**.

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) at least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) examination of the U.S. application has not begun;

(6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;

(7) applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications; and

(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427). All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to Technology Center Art Unit 2834 for action commensurate with this decision.



David Bucci
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Michael Louis Bazzone

Application No. 12900678

Filed:

Attorney Docket No. Application-2

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 11-OCT-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,711	10/08/2010	ANDREAS W. LAAKE	53.0135-US	8365
28116 7590 05/13/2011 WesternGeco L.L.C. 10001 Richmond Avenue Kevin McEnaney, IP Dept HOUSTON, TX 77042-4299			EXAMINER KEITH, JACK W	
			ART UNIT 3663	PAPER NUMBER
			NOTIFICATION DATE 05/13/2011	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

WG-IP@slb.com



UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 13 2011

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WESTERNGECO LLC
10001 RICHMOND AVE
Kevin McEnaney, IP Dept
Houston, TX 77042

In re Application of
Anreas W. Laake et al
Application No. 12/900,711
Filed: October 8, 2010
For: JOINT INTERPRETATION OF RAYLEIGH
WAVES AND REMOTE SENSING FOR
NEAR-SURFASE GEOLOGY

PETITION TO
ACCEPT COLOR
DRAWINGS/PHOTOGRAPHS


This is a decision on applicant's petition under 37 CFR 1.184(A)(2) filed October 8, 2010 to accept color drawings/photographs.

For the acceptance of color drawings in accordance with 37 CFR 1.184(A)(2), a petition is required which fulfills the following requirements:

- (i) The appropriate fee set forth in 1.17(h),
- (ii) three (3) sets of color drawings/photographs, and
- (iii) amending the specification to contain the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings: "The file of this patent contains at least one drawing executed in color photography. Copies of this patent with color photographs will be provided by the Patent and Trademark Office upon request and payment of necessary fee."

Having met the requirements of 37 CFR 1.184(A)(2), the petition is **GRANTED**.

Any questions or comments with respect to the decision should be forwarded to Supervisory Patent Examiner, Jack Keith at the number listed below.


Jack Keith
Supervisory Patent Examiner
Art Unit 3663
(571) 272-6878

jwk: 5/12/11



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

GREENBERG TRAURIG LLP (LA)
2450 COLORADO AVENUE, SUITE 400E
INTELLECTUAL PROPERTY DEPARTMENT
SANTA MONICA CA 90404

MAILED

DEC 03 2010

OFFICE OF PETITIONS

In re Application of

Moshir, et al.

Application No. 12/900,767

Filed: October 8, 2010

Attorney Docket No. 077732-012403/CON

For: NON-INVASIVE AUTOMATIC OFFSITE PATCH FINGERPRINTING
AND UPDATING SYSTEM AND METHOD

:
:
: DECISION GRANTING STATUS
: UNDER 37 CFR 1.47(a)
:

This is in response to the petition under 37 CFR 1.47(a), filed October 8, 2010.

In accordance with 37 CFR 1.63(d)(3), applicants have submitted a copy of the executed declaration submitted in Application No. 09/957,673, filed November 26, 2001, of which application 11/160,439 is a continuation of which the present filing is a continuation application. As a courtesy, the undersigned has recorded a copy of the decision granting the petition under 37 CFR 1.47(a) in the prior application.

As Rule 1.47(a) status was granted in the prior application, this application is hereby accorded Rule 1.47(a) status. As no petition is necessary to accord Rule 1.47(a) status in this application, the petition is **dismissed as moot**. No petition fee is necessary.

Pursuant to 37 CFR 1.47(c), the Office is dispensing with the notice provision in the present application because notice was provided after the grant of Rule 1.47(a) status in the prior application.

The matter is being referred to the Office of Patent Application Processing for further review.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya McLaughlin
Petitions Attorney
Office of Petitions

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	12/900,772	Filing date:	October 8, 2010
First Named Inventor:	Shmuel Dovid Newman		
Title of the Invention:	Combined Fill and Safety Vent Plug		
THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBS/EFIS_HELP.HTML			

**APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE
ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.**

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/056132

The international filing date of the corresponding PCT application(s) is/are: November 10, 2010

I. List of Required Documents:

a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)

☐

Is attached.

☒

Is not attached because the document is already in the U.S. application.

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).

☐

Is attached.

☒

Is not attached because the document is already in the U.S. application.

c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

Application No.:	12/900,772
First Named Inventor:	Shmuel Dovid Newman

- ☐ Is attached
- ☒ Has already been filed in the above-identified U.S. application on
- February 10, 2012

- ☐ Are attached.
- ☒ Have already been filed in the above-identified U.S. application on February 10, 2012

[illegible]

Signature	/Lance M. Pritikin/	Date	2/14/2012
Name (Print/Typed)	Lance M. Pritikin, Esq.	Registration Number	59,845

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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Alexandria, VA 22313-1450
www.uspto.gov

ATTN: Lance M. Pritikin, Esq.
Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP
11400 West Olympic Boulevard
Ninth Floor
Los Angeles, CA 90064-1582

MAILED

MAR 28 2012

OFFICE OF PETITIONS

In re Application of
Shmuel Dovid Newman, et. al.
Application No.: 12/900,772
Filed: October 8, 2010
Attorney Docket No.: YSN0128PUSP
For: COMBINED FILL AND SAFETY
VENT PLUG

:
: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on February 14, 2012, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the Australia, Austria, EPO, Finland, JPO, KIPO, NPI, Russia, Spain, Sweden, USPTO, or CHINA;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

Regarding the requirement of condition (7), petitioner did not cite the reference of KR 10-2008-0068032 in the IDS filed June 9, 2011 or on February 10, 2012, nor did petitioner provide a copy of reference KR 10-2008-0068032 cited by the KR examiner. Therefore, the present petition cannot be granted at this time.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions



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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,781	10/08/2010	Barton John Kenyon	PTB-4398-1081	8546
23117 7590 11/01/2010 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			EXAMINER	
			ART UNIT	PAPER NUMBER
			3771	
			MAIL DATE	DELIVERY MODE
			11/01/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON VA 22203

In re Application of	:	
KENYON, BARTON JOHN et al	:	DECISION ON REQUEST TO
Application No. 12/900,781	:	PARTICIPATE IN PATENT
Filed: Oct.8, 2010	:	PROSECUTION HIGHWAY
Attorney Docket No. PTB-4398-1087	:	PILOT PROGRAM AND PETITION
For: BREATHABLE GAS APPARATUS	:	TO MAKE SPECIAL UNDER
WITH HUMIDIFIER	:	37 CFR 1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program under 37 CFR 1.102(d), filed October 8, 2010, to make the above-identified application special.

The request and petition are DISMISSED.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the IPAU;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the IPAU application(s);
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the IPAU application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the IPAU application(s) containing the allowable/patentable claim(s); and
- (6) Applicant must submit an IDS listing the documents cited by the IPAU examiner in the IPAU office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition met all conditions except Item #6 above. The request to participate in the PPH pilot program and the petition fail to provide a copy of foreign patent documents, GB2353904 and GB 2192136 cited by the Australian examiner.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

Petition is **dismissed**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,781	10/08/2010	Barton John Kenyon	PTB-4398-1081	8546

23117 7590 11/29/2010
NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER

ART UNIT	PAPER NUMBER
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3771

MAIL DATE	DELIVERY MODE
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11/29/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON VA 22203

In re Application of	:	
KENYON, BARTON JOHN et al	:	DECISION ON REQUEST TO
Application No. 12/900,781	:	PARTICIPATE IN PATENT
Filed: Oct.8, 2010	:	PROSECUTION HIGHWAY
Attorney Docket No. PTB-4398-1087	:	PILOT PROGRAM AND PETITION
For: BREATHABLE GAS APPARATUS	:	TO MAKE SPECIAL UNDER
WITH HUMIDIFIER	:	37 CFR 1.102(d)

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) pilot program under 37 CFR 1.102(d), filed Nov. 24, 2010, to make the above-identified application special.

The request and petition are granted.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the IPAU;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the IPAU application(s);
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the IPAU application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the IPAU application(s) containing the allowable/patentable claim(s); and
- (6) Applicant must submit an IDS listing the documents cited by the IPAU examiner in the IPAU office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition comply with the above requirements. This is to acknowledge the receipt of a list of IPAU allowed claims which correspond to the US claims. IDS listing the documents cited by the Australian examiner in the IPAU office along with copies of documents are also received. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

All other inquiries concerning the examination or status of the application should be directed to the Supervisory Patent Examiner, Justine Yu at 571-272-4835.

This application will be being forwarded to the examiner for action on the merits commensurate with this decision.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.				
12/900,785	10/08/2010	Giovanni Fima	101775.0027US1	8550				
<div>24392 7590 12/21/2010</div> <div>FISH & ASSOCIATES, PC ROBERT D. FISH 2603 Main Street Suite 1000 Irvine, CA 92614-6232</div>								
EXAMINER								
<table border="1"><thead><tr><th>ART UNIT</th><th>PAPER NUMBER</th></tr></thead><tbody><tr><td>3751</td><td></td></tr></tbody></table>					ART UNIT	PAPER NUMBER	3751	
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3751								
<table border="1"><thead><tr><th>NOTIFICATION DATE</th><th>DELIVERY MODE</th></tr></thead><tbody><tr><td>12/21/2010</td><td>ELECTRONIC</td></tr></tbody></table>					NOTIFICATION DATE	DELIVERY MODE	12/21/2010	ELECTRONIC
NOTIFICATION DATE	DELIVERY MODE							
12/21/2010	ELECTRONIC							

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

rfish@fishiplaw.com
patents@fishiplaw.com



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FISH & ASSOCIATES, PC
ROBERT D. FISH
2603 Main Street
Suite 1000
Irvine CA 92614-6232

In re Application of: Giovanni Fima	:	
Application No.: 12/900785	:	DECISION ON PETITION TO
Filed: October 8, 2010	:	MAKE SPECIAL FOR NEW
Title: DRAIN CARTRIDGE HAVING	:	APPLICATION UNDER 37
REMOVABLE VALVED SYSTEM	:	C.F.R. § 1.102 & M.P.E.P. §
	:	708.02
	:	

This is a decision on the petition filed on October 8, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391

/Linda Sholl/
Linda Sholl
Special Programs Examiner
Technology Center 3700



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PEPPER HAMILTON LLP
400 BERWYN PARK
899 CASSATT ROAD
BERWYN PA 19312-1183

MAILED

DEC 03 2010

OFFICE OF PETITIONS

In re Application of	:	
Fumihiko Sakai et al	:	
Application No. 12/900,791	:	DECISION ON PETITION
Filed: October 8, 2010	:	
Attorney Docket No. 133087.00111 101510-2	:	
US	:	

This is a decision on the request for refund filed November 16, 2010.

The request is **DISMISSED**.

Applicant requests a refund of the filing fee (\$1,090.00) for the above application and asserts that a duplicate application was filed on October 8, 2010.

Applicant's attention is directed to the below regarding the filing of an unintended duplicate filing via EFS-Web.

37 CFR 1.26(a) states, in part: "The Director may refund any fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee, such as when a party desires to withdraw a patent filing for which the fee was paid, including an application, an appeal, or a request for an oral hearing, will not entitle a party to a refund of such fee."

However, the Office may find a mistake pursuant to 37 CFR 1.26, waive the presumption in 37 CFR 1.26 that applications are not entitled to filing fee refunds, and refund the filing fees associated with unintended duplicate application filings via EFS-Web when the following conditions have been met:

- (1) Applicant must certify that they had filed the duplicate application(s) prior to receiving appropriate confirmation from the Office that the initial application filing via EFS-Web was received by the Office;

- When the above conditions have been met, the Office will generally accept the statement as an assertion that the duplicate application was filed by mistake without requiring further information.

By mail: Mail Stop PETITIONS
 Commissioner for Patents
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 Alexandria, VA 22313-1450

By fax: (571) 273-8300
ATTN: Office of Petitions

By internet: EFS-Web
www.uspto.gov/ebc/efs_help.html
(for help using EFS-Web call the
Patent Electronic Business Center
at (866) 217-9197)

Any questions concerning this matter may be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions



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PEPPER HAMILTON LLP
400 BERWYN PARK
899 CASSATT ROAD
BERWYN PA 19312-1183

MAILED

JAN 27 2011

OFFICE OF PETITIONS

In re Application of	:	
Fumihiko Sakai et al	:	
Application No. 12/900,791	:	DECISION ON PETITION
Filed: October 8, 2010	:	
Attorney Docket No. 133087.00111 101510-2	:	
US	:	

This is a decision on the renewed request filed January 10, 2011, which is being treated as a petition under 37 CFR 1.181 (no fee), requesting refund of the filing fee for the above-identified application.

The petition is **GRANTED**.

Petitioner asserts that the instant application was an unintended duplicate filing via EFS-Web.

37 CFR 1.26(a) states, in part: "The Director may refund any fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee, such as when a party desires to withdraw a patent filing for which the fee was paid, including an application, an appeal, or a request for an oral hearing, will not entitle a party to a refund of such fee."

However, the Office may find a mistake pursuant to 37 CFR 1.26, waive the presumption in 37 CFR 1.26 that applications are not entitled to filing fee refunds, and refund the filing fees associated with unintended duplicate application filings via EFS-Web.

The Office has accepted petitioner's statement as an assertion that the duplicate application was filed by mistake. Accordingly, the filing fee of \$1,090.00, charged on October 8, 2010, has been credited to petitioner's deposit account no. 50-0436 as authorized.

As no further action will be taken in this application, the request for refund of the filing fee is also being construed as a request to expressly abandon the above-mentioned application. Accordingly, this matter is being referred to the Office of Patent Publication for express abandonment of the subject application.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

/Karen Creasy/
Karen Creasy
Petitions Examiner
Office of Petitions



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LAW OFFICES OF CLEMENT CHENG
17220 NEWHOPE STREET #127
FOUNTAIN VALLEY CA 92708

MAILED
NOV 30 2011
OFFICE OF PETITIONS

In re Application of :
Jung, Man Young :
Application No. 12/900,809 : **DECISION ON PETITION**
Filed: October 8, 2010 :
Attorney Docket No. :
JUNG.GOLFBALLALIGHTMENT :

This is a decision on the petition, filed November 4, 2011 and November 7, 2011, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **DISMISSED**.

This application was held abandoned for failure to reply to the Notice of Allowability mailed July 15, 2011, which set a three (3) month statutory period for reply. A reply was due on or before October 15, 2011. A Notice of Abandonment was mailed on October 28, 2011.

Petitioner asserts that the Notice of Allowability was wrong in requiring corrected drawings. Petitioner discusses the issue with drawings and has stated that petitioner has spoken with the Examiner to clarify the situation. Although the Examiner now agrees to remove the amended drawing requirement, a petition to withdraw the holding of abandonment cannot be granted.

As stated in 37 CFR 1.135(a),

If an applicant of a patent application fails to reply within the time period provided under § 1.134 and § 1.136, the application will become abandoned unless an Office action indicates otherwise.

Petitioner had until October 15, 2011 to timely reply to the Notice of Allowability. A reply could have included the same arguments presented in the petition as to why the requirement for corrected drawings was erroneous. However, petitioner timely paid the issue and publication fees on August 1, 2011, without providing any sort of response to the Notice of Allowability until after the abandonment occurred.

ALTERNATIVE VENUE

Petitioner is strongly encouraged to consider filing a petition under 37 CFR 1.137(b) to revive an unintentionally abandoned application instead of filing a renewed petition under 37 CFR 1.181.

A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action, unless previously filed;
- (2) The petition fee as set forth in 37 CFR 1.17(m), **\$930.00 for a small entity**;
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Window located at:

 U.S. Patent and Trademark Office
 Customer Service Window Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

Any questions concerning this matter may be directed to the undersigned at (571) 272-3206.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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FOUNTAIN VALLEY CA 92708

MAILED

JAN 12 2012

OFFICE OF PETITIONS

In re Application of :
Jung, Man Young :
Application No. 12/900,809 : **DECISION ON PETITION**
Filed: October 8, 2010 :
Attorney Docket No. :
JUNG.GOLFBALLALIGNMENT

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed December 14, 2011, to revive the above-identified application.

The petition is **GRANTED**.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue and publication fees (previously paid July 26, 2011), and a response to corrected formal drawings requirement, (2) the petition fee of \$930.00; and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3206.

This application is being referred to the Office of Data Management for processing into a patent.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	12/900,824	Filing Date:	October 8, 2010
First Named Inventor:	Chong Soon LIM et al.	Attorney Docket No.:	2010_1411A
Title of the Invention:	IMAGE DECODING METHOD, IMAGE CODING METHOD, IMAGE DECODING APPARATUS, AND IMAGE CODING APPARATUS		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBC/EF5_HELP.HTML](http://www.uspto.gov/EBC/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: **PCT/JP2010/003041** (it is noted the present U.S. application is a continuation of PCT/JP2010/003041)

The international date of the corresponding PCT application(s) is/are: **April 28, 2010**

I. List of Required Documents:

- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**
☒ is attached.
☐ is not attached because the document is already in the U.S. application.
 - b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**
☒ is attached (it is noted that claims 1-19 from the corresponding PCT application are attached, and that claims 1-7, 10-17 and 19 were indicated as having novelty, inventive step and industrial applicability).
☐ is not attached because the document is already in the U.S. application.
 - c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**
 - d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**
☒ is attached.
☐ Has already been filed in the above-identified U.S. application on _____.
- (2) Copies of all documents (except for U.S. patents or U.S. patent application publications)**
☒ Are attached.
☐ Have already been filed in the above-identified U.S. application on _____.

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	12/900,824	
First Named Inventor:	Chong Soon LIM et al.	
II. Claims Correspondence Table:		
Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claims are the same
2	2	Claims are the same
3	3	Claims are the same
4	4	Claims are the same
5	5	Claims are the same, except that claim 5 in the US application depends from claim 3, whereas claim 5 in the PCT application depends from one of claims 3 and 4
6	6	Claims are the same, except that claim 6 in the US application depends from claim 3, whereas claim 6 in the PCT application depends from any one of claims 3 through 5
7	7	Claims are the same, except that claim 7 in the US application depends from claim 3, whereas claim 7 in the PCT application depends from any one of claims 3 through 6
8	10	Claim 8 in the US application is an independent claim which corresponds to claim 10 of the PCT application rewritten in independent form including all of the features of base claim 8 of the PCT application and intervening claim 9 of the PCT application
9	11	Claims are the same
10	12	Claims are the same, except that claim 10 in the US application depends from claim 9, whereas claim 12 in the PCT application depends from claim 11
11	13	Claim 11 in the US application is an independent claim which corresponds to claim 13 of the PCT application rewritten in independent form including all of the features of base claim 8 of the PCT application and intervening claim 9 of the PCT application
12	14	Claims are the same, except that claim 12 in the US application depends from claim 8, whereas claim 14 in the PCT application depends from any one of claims 10, 12 and 13
13	15	Claims are the same, except that claim 13 in the US application depends from claim 8, whereas claim 15 in the PCT application depends from any one of claims 10, 12, 13 and 14
14	16	Claims are the same, except that claim 14 in the US application depends from claim 8, whereas claim 16 in the PCT application depends from any one of claims 10, 12, 13, 14 and 15

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

15	17	Claims are the same
16	19	Claims are the same
III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.		
Signature /Kenneth W. Fields/ 2010.10.08 16:28:11 -04'00'		Date: October 8, 2010
Name: Kenneth W. Fields (Print/Type)		Registration No. 52,430

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2010/003041

Box No. V Reasoned statement under Rule 43bis. 1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1 - 7, 9 - 17, 19</u>	Yes
	Claims	<u>8, 18</u>	No
Inventive step (IS)	Claims	<u>1 - 7, 10 - 17, 19</u>	Yes
	Claims	<u>8 - 9, 18</u>	No
Industrial applicability (IA)	Claims	<u>1 - 19</u>	Yes
	Claims	<u> </u>	No

2. Citations and explanations

- Document 1: WO 2008/085909 A2 (Thomson Licensing), July 17, 2008, P. 12, l. 26 - 32, P. 15, l. 16 - 22
- Document 2: Anthony Vetro et al., "Joint Draft 1.0 on Multiview video Coding", Joint Video Team (JVT) of ISO/IEC MPEG & ITU-T VCEG 21st Meeting [JVT-U209], Hangzhou, China, Oct. 2006, p. 1 -20
- Document 3: Anthony Vetro et al., "Joint Draft 5.0 on Multiview video Coding", Joint Video Team (JVT) of ISO/IEC MPEG & ITU-T VCEG 25th Meeting [JVT-Y209], Shenzhen, China, Oct. 2007, p. 1, 4 - 5, 9 - 13
- Document 4: Anthony Vetro et al., "Joint Draft 2.0 on Multiview video Coding", Joint Video Team (JVT) of ISO/IEC MPEG & ITU-T VCEG 22nd Meeting [JVT-V209], Marrakech, Morocco, Jan. 2007, p. 1
- Document 5: Wang Ye-Kui et al., "System and Transport Interface of the Emerging SVC Standard", Joint Video Team (JVT) of ISO/IEC MPEG & ITU-T VCEG 21st Meeting [JVT-U151], Hangzhou, China, Oct. 2006, p. 1 & Accompanying document's p. 4
- Document 6: Thomas Wiegand et al., "Meeting Report, Draft 7", Joint Video Team (JVT) of ISO/IEC MPEG & ITU-T VCEG 22nd Meeting [AgendaWithNotesVd7], Marrakech, Morocco, Jan. 2007, p. 1, 34

The invention claimed in Claims 1 - 7, 10 - 17, and 19 is not disclosed by the documents cited in this International Search Report, and therefore is not obvious to any person skilled in the art.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2010/003041

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box No. V

The invention claimed in Claims 8 and 18 does not have novelty. Document 2 cited in this International Search Report discloses a coding method without using prefix NAL units implemented before a prefix NAL unit technique is applied.

The invention claimed in Claim 9 does not have an inventive step in view of Document 2 and Document 3 (see p. 9 – 10, and 13) cited in this International Search Report. It is easy for a person skilled in the art to apply known MVC parameters as disclosed in Document 3 to the coding method without using prefix NAL units disclosed by Document 2.

第V欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、
それを裏付ける文献及び説明

1. 見解

新規性 (N)	請求項	1-7, 9-17, 19	有
	請求項	8, 18	無
進歩性 (IS)	請求項	1-7, 10-17, 19	有
	請求項	8-9, 18	無
産業上の利用可能性 (IA)	請求項	1-19	有
	請求項		無

2. 文献及び説明

文献1 : WO 2008/085909 A2 (トムソン ライセンシング) 2008.07.17,
第12頁第26行-第32行, 第15頁第16行-第22行

文献2 : Anthony Vetro et al., "Joint Draft 1.0 on Multiview Video Coding",
Joint Video Team (JVT) of ISO/IEC MPEG & ITU-T VCEG 21st Meeting
[JVT-U209], Hangzhou, China, Oct. 2006, p.1-20

文献3 : Anthony Vetro et al., "Joint Draft 5.0 on Multiview Video Coding",
Joint Video Team (JVT) of ISO/IEC MPEG & ITU-T VCEG 25th Meeting
[JVT-Y209], Shenzhen, China, Oct. 2007, p.1, 4-5, 9-13

文献4 : Anthony Vetro et al., "Joint Draft 2.0 on Multiview Video Coding",
Joint Video Team (JVT) of ISO/IEC MPEG & ITU-T VCEG 22nd Meeting
[JVT-V209], Marrakech, Morocco, Jan. 2007, p.1

文献5 : Wang Ye-Kui et al., "System and Transport Interface of the Emerging SVC
Standard", Joint Video Team (JVT) of ISO/IEC MPEG & ITU-T VCEG 21st
Meeting [JVT-U151], Hangzhou, China, Oct. 2006,
p.1 & Accompanying document's p.4

文献6 : Thomas Wiegand et al., "Meeting Report, Draft 7", Joint Video Team (JVT)
of ISO/IEC MPEG & ITU-T VCEG 22nd Meeting [AgendaWithNotesVd7],
Marrakech, Morocco, Jan. 2007, p.1, 34

請求の範囲1-7, 10-17, 19に係る発明は、国際調査報告で引用されたいずれの文献にも記載されておらず、当業者にとって自明なものでない。

補充欄

いずれかの欄の大きさが足りない場合

第 欄の続き

請求の範囲 8, 18 に係る発明は新規性を有しない。国際調査報告で引用された文献 2 には、前置 NAL ユニットの技術が採用される以前の、前置 NAL ユニットなしで符号化する方法が記載されている。

請求の範囲 9 に係る発明は、国際調査報告で引用された文献 2、文献 3（第 9 頁—第 10 頁、第 13 頁参照）により進歩性を有しない。文献 2 に記載された、前置 NAL ユニットなしで符号化する方法において、文献 3 に記載のような、MVC に係る、周知のパラメータを適用することは、当業者にとって容易である。

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Serial NO.:

Filing Date:

For: IMAGE DECODING METHOD, IMAGE CODING METHOD, IMAGE DECODING APPARATUS, AND IMAGE CODING APPARATUS

VERIFICATION OF TRANSLATION

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Atsuko FUJIHARA c/o NII Patent Firm, 6F, Tanaka Ito Pia Shin-Osaka Bldg. 3-10,
Nishi Nakajima 5-chome, Yodogawa-ku, Osaka-city, Osaka 532-0011, Japan declares:

- (1) that she knows well both the Japanese and English languages;
- (2) that she translated the claims from PCT/JP2010/003041 from Japanese to English;
- (3) that the attached English translation is an accurate translation of the claims from PCT/JP2010/003041 to the best of her knowledge and belief; and
- (4) that all statements made of her own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such false statements may jeopardize the validity of the application or any patent thereon.

This 8 day of October, 2010

Atsuko Fujihara

Atsuko FUJIHARA

[CLAIMS]

[Claim 1]

An image decoding method of decoding a multiview video,
5 comprising:
parsing NAL units including an image included in view
components of a base view;
decoding the image included in the view components of the
base view;
10 parsing NAL unit header MVC extension parameters of a
non-base view;
searching the view components of the base view for prefix NAL
units;
computing NAL unit header MVC extension parameters for the
15 base view when no prefix NAL units are present in the view
components of the base view;
parsing, when prefix NAL units are present in the view
components of the base view, the NAL unit header MVC extension
parameters of the base view, with reference to the prefix NAL units;
20 parsing NAL units including an image included in view
components of the non-base view; and
decoding the image included in the view components of the
non-base view, using (i) the computed or parsed NAL unit header
MVC extension parameters of the base view and (ii) the parsed NAL
25 unit header MVC extension parameters of the non-base view.

[Claim 2]

The image decoding method according to Claim 1,
wherein each of the base view and the non-base view is
30 assigned with the NAL unit header MVC extension parameters
including a non-IDR flag (non_idr_flag), a priority ID (priority_id), a
view ID (view_id), a temporal ID (temporal_id), an anchor picture
flag (anchor_pic_flag), and an inter-view prediction flag
(inter_view_flag).

35

[Claim 3]

The image decoding method according to Claim 2,
wherein said computing NAL unit header MVC extension
parameters for the base view includes:

5 obtaining a value of the non-IDR flag (non_idr_flag) from
among the NAL unit header MVC extension parameters of the
non-base view;

assigning the value of the non-IDR flag (non_idr_flag)
obtained from among the NAL unit header MVC extension parameters
10 of the non-base view to the non-IDR flag (non_idr_flag) included in
the NAL unit header MVC extension parameters of the base view;

assigning a first predefined value to the priority ID
(priority_id) included in the NAL unit header MVC extension
parameters of the base view;

15 assigning a second predefined value to the view ID (view_id)
included in the NAL unit header MVC extension parameters of the
base view;

obtaining a value of the temporal ID (temporal_id) from
among the NAL unit header MVC extension parameters of the
20 non-base view;

assigning the value of the temporal ID (temporal_id) obtained
from among the NAL unit header MVC extension parameters of the
non-base view to the temporal ID (temporal_id) included in the NAL
unit header MVC extension parameters of the base view;

25 obtaining a value of the anchor picture flag (anchor_pic_flag) from
among the NAL unit header MVC extension parameters of the
non-base view;

assigning the value of the anchor picture flag
(anchor_pic_flag) obtained from among the NAL unit header MVC
30 extension parameters of the non-base view to the anchor picture flag
(anchor_pic_flag) included in the NAL unit header MVC extension
parameters of the base view; and

assigning a third predefined value to the inter-view prediction
flag (inter_view_flag) included in the NAL unit header MVC extension
35 parameters of the base view.

[Claim 4]

The image decoding method according to Claim 2,
wherein said computing NAL unit header MVC extension
parameters for the base view includes:

- 5 obtaining a value of a NAL unit type (nal_unit_type) from
among NAL unit headers of the base view;
 assigning 0 to the non-IDR flag (non_idr_flag) included in the
NAL unit header MVC extension parameters of the base view if the
value of the NAL unit type (nal_unit_type) is 5;
- 10 assigning 1 to the non-IDR flag (non_idr_flag) included in the
NAL unit header MVC extension parameters of the base view if the
value of the NAL unit type (nal_unit_type) is 1;
 assigning a first predefined value to the priority ID
(priority_id) included in the NAL unit header MVC extension
15 parameters of the base view;
 assigning a second predefined value to the view ID (view_id)
included in the NAL unit header MVC extension parameters of the
base view;
 obtaining a value of the temporal ID (temporal_id) from
20 among the NAL unit header MVC extension parameters of the
non-base view;
 assigning the value of the temporal ID (temporal_id) obtained
from among the NAL unit header MVC extension parameters of the
non-base view to the temporal ID (temporal_id) included in the NAL
25 unit header MVC extension parameters of the base view;
 obtaining a value of the anchor picture flag (anchor_pic_flag)
from among the NAL unit header MVC extension parameters of the
non-base view;
 assigning the value of the anchor picture flag
30 (anchor_pic_flag) obtained from among the NAL unit header MVC
extension parameters of the non-base view to the anchor picture flag
(anchor_pic_flag) included in the NAL unit header MVC extension
parameters of the base view; and
 assigning a third predefined value to the inter-view prediction
35 flag (inter_view_flag) included in the NAL unit header MVC extension

parameters of the base view.

[Claim 5]

5 The image decoding method according to one of Claim 3 and
 Claim 4,
 wherein the first predefined value assigned to the priority ID
 (priority_id) is 0.

[Claim 6]

10 The image decoding method according to any one of Claims 3
 through 5,
 wherein the second predefined value assigned to the view ID
 (view_id) is 0.

15 [Claim 7]

 The image decoding method according to any one of Claims 3
 through 6,
 wherein the third predefined value assigned to the inter-view
 prediction flag (inter_view_flag) is 1.

20

[Claim 8]

 An image coding method of coding a multiview video,
 comprising:

- 25 coding an image of a base view;
- writing view components including the coded image of the
 base view into NAL units without using prefix NAL units;
- determining NAL unit header MVC extension parameters of a
 non-base view;
- computing NAL unit header MVC extension parameters for the
30 base view;
- coding an image of the non-base view, using the computed
 NAL unit header MVC extension parameters of the base view and the
 determined NAL unit header MVC extension parameters of the
 non-base view; and
- 35 writing view components including the coded image of the

non-base view into NAL units.

[Claim 9]

The image coding method according to Claim 8,
5 wherein each of the base view and the non-base view is assigned with the NAL unit header MVC extension parameters including a non-IDR flag (non_idr_flag), a priority ID (priority_id), a view ID (view_id), a temporal ID (temporal_id), an anchor picture flag (anchor_pic_flag), and an inter-view prediction flag
10 (inter_view_flag).

[Claim 10]

The image coding method according to Claim 9,
wherein said computing NAL unit header MVC extension
15 parameters for the base view includes:

obtaining a value of the non-IDR flag (non_idr_flag) from among the NAL unit header MVC extension parameters of the non-base view;

20 assigning the value of the non-IDR flag (non_idr_flag) obtained from among the NAL unit header MVC extension parameters of the non-base view to the non-IDR flag (non_idr_flag) included in the NAL unit header MVC extension parameters of the base view;

assigning a first predefined value to the priority ID (priority_id) included in the NAL unit header MVC extension
25 parameters of the base view;

assigning a second predefined value to the view ID (view_id) included in the NAL unit header MVC extension parameters of the base view;

30 obtaining a value of the temporal ID (temporal_id) from among the NAL unit header MVC extension parameters of the non-base view;

assigning the value of the temporal ID (temporal_id) obtained from among the NAL unit header MVC extension parameters of the non-base view to the temporal ID (temporal_id) included in the NAL
35 unit header MVC extension parameters of the base view;

obtaining a value of the anchor picture flag (anchor_pic_flag) from among the NAL unit header MVC extension parameters of the non-base view;

5 assigning the value of the anchor picture flag (anchor_pic_flag) obtained from among the NAL unit header MVC extension parameters of the non-base view to the anchor picture flag (anchor_pic_flag) included in the NAL unit header MVC extension parameters of the base view; and

10 assigning a third predefined value to the inter-view prediction flag (inter_view_flag) included in the NAL unit header MVC extension parameters of the base view.

[Claim 11]

15 An image coding method of coding a multiview video, comprising:

 determining NAL unit header MVC extension parameters of a base view;

 determining NAL unit header MVC extension parameters of a non-base view;

20 switching between writing and not writing the NAL unit header MVC extension parameters of the base view into prefix NAL units;

 writing the determined NAL unit header MVC extension parameters of the base view into the prefix NAL units when said switching is performed to write the NAL unit header MVC extension parameters of the base view into the prefix NAL units;

25 coding an image of the base view;

 writing view components including the coded image of the base view into NAL units;

30 coding an image of the non-base view, using the determined NAL unit header MVC extension parameters of the base view and the determined NAL unit header MVC extension parameters of the non-base view; and

 writing view components including the coded image of the non-base view into NAL units.

35

[Claim 12]

The image coding method according to Claim 11,

wherein each of the base view and the non-base view is assigned with the NAL unit header MVC extension parameters including a non-IDR flag (non_idr_flag), a priority ID (priority_id), a view ID (view_id), a temporal ID (temporal_id), an anchor picture flag (anchor_pic_flag), and an inter-view prediction flag (inter_view_flag), and

10 said determining NAL unit header MVC extension parameters of a base view includes:

assigning a predefined first value to the priority ID (priority_id) included in the NAL unit header MVC extension parameters of the base view;

15 assigning a predefined second value to the view ID (view_id) included in the NAL unit header MVC extension parameters of the base view; and

assigning a predefined third value to the inter-view prediction flag (inter_view_flag) included in the NAL unit header MVC extension parameters of the base view.

20

[Claim 13]

The image coding method according to Claim 9,

wherein said computing NAL unit header MVC extension parameters for the base view includes:

25 obtaining a value of a NAL unit type (nal_unit_type) from among NAL unit headers of the base view;

assigning 0 to the non-IDR flag (non_idr_flag) included in the NAL unit header MVC extension parameters of the base view if the value of the NAL unit type (nal_unit_type) is 5;

30 assigning 1 to the non-IDR flag (non_idr_flag) included in the NAL unit header MVC extension parameters of the base view if the value of the NAL unit type (nal_unit_type) is 1;

35 assigning a first predefined value to the priority ID (priority_id) included in the NAL unit header MVC extension parameters of the base view;

assigning a second predefined value to the view ID (view_id) included in the NAL unit header MVC extension parameters of the base view;

5 obtaining a value of the temporal ID (temporal_id) from among the NAL unit header MVC extension parameters of the non-base view;

assigning the value of the temporal ID (temporal_id) obtained from among the NAL unit header MVC extension parameters of the non-base view to the temporal ID (temporal_id) included in the NAL
10 unit header MVC extension parameters of the base view;

obtaining a value of the anchor picture flag (anchor_pic_flag) from among the NAL unit header MVC extension parameters of the non-base view;

assigning the value of the anchor picture flag
15 (anchor_pic_flag) obtained from among the NAL unit header MVC extension parameters of the non-base view to the anchor picture flag (anchor_pic_flag) included in the NAL unit header MVC extension parameters of the base view; and

assigning a third predefined value to the inter-view prediction
20 flag (inter_view_flag) included in the NAL unit header MVC extension parameters of the base view.

[Claim 14]

The image coding method according to any one of Claims 10,
25 12, and 13,

wherein the first predefined value assigned to the priority ID (priority_id) is 0

[Claim 15]

30 The image coding method according to any one of Claims 10, 12, 13, and 14,

wherein the second predefined value assigned to the view ID (view_id) is 0.

35 [Claim 16]

The image coding method according to any one of Claims 10, 12, 13, 14, and 15,

wherein the third predefined value assigned to the inter-view prediction flag (inter_view_flag) is 1.

5

[Claim 17]

An image decoding apparatus which decodes a multiview video, comprising:

10 a base view NAL unit parsing unit configured to parse NAL units including an image included in view components of a base view;

a base view decoding unit configured to decode the image included in the view components of the base view;

15 a non-base view MVC extension parameter parsing unit configured to parse NAL unit header MVC extension parameters of a non-base view;

a prefix NAL unit searching unit configured to search the view components of the base view for prefix NAL units;

20 a base view MVC extension parameter computation unit configured to compute NAL unit header MVC extension parameters for the base view when no prefix NAL units are present in the view components of the base view;

25 a base view MVC extension parameter parsing unit configured to parse, when prefix NAL units are present in the view components of the base view, the NAL unit header MVC extension parameters of the base view, with reference to the prefix NAL units;

a non-base view NAL unit parsing unit configured to parse NAL units including an image included in view components of the non-base view; and

30 a non-base view decoding unit configured to decode the image included in the view components of the non-base view, using (i) the computed or parsed NAL unit header MVC extension parameters of the base view and (ii) the parsed NAL unit header MVC extension parameters of the non-base view.

35 [Claim 18]

An image coding apparatus which codes a multiview video, comprising:

a base view coding unit configured to code an image of a base view;

5 a base view writing unit configured to write view components including the coded image of the base view into NAL units without using prefix NAL units;

a non-base view MVC extension parameter determination unit configured to determine NAL unit header MVC extension parameters
10 of a non-base view;

a base view NAL unit header MVC extension parameter computation unit configured to compute NAL unit header MVC extension parameters for the base view;

a non-base view coding unit configured to code an image of
15 the non-base view, using the computed NAL unit header MVC extension parameters of the base view and the determined NAL unit header MVC extension parameters of the non-base view; and

a non-base view writing unit configured to write view components including the coded image of the non-base view into NAL
20 units.

[Claim 19]

An image coding apparatus which codes a multiview video, comprising:

25 a base view MVC extension parameter determination unit configured to determine NAL unit header MVC extension parameters of a base view;

a non-base view MVC extension parameter determination unit configured to determine NAL unit header MVC extension parameters
30 of a non-base view;

a prefix NAL unit writing switching unit configured to switch between writing and not writing the NAL unit header MVC extension parameters of the base view into prefix NAL units;

a prefix NAL unit writing unit configured to write the
35 determined NAL unit header MVC extension parameters of the base

view into the prefix NAL units when the switching is performed to write the NAL unit header MVC extension parameters of the base view into the prefix NAL units;

5 a base view coding unit configured to code an image of the base view;

 a base view writing unit configured to write view components including the coded image of the base view into NAL units;

10 a non-base view coding unit configured to code an image of the non-base view, using the determined NAL unit header MVC extension parameters of the base view and the determined NAL unit header MVC extension parameters of the non-base view; and

 a non-base view writing unit configured to write view components including the coded image of the non-base view into NAL units.

【書類名】請求の範囲

【請求項1】

多視点映像を復号する画像復号方法であって、
ベース・ビューのビュー・コンポーネントに含まれる画像を含むNALユニットを構文解析し、
前記ベース・ビューの前記ビュー・コンポーネントに含まれる前記画像を復号し、
ノン・ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを構文解析し、
前記ベース・ビューの前記ビュー・コンポーネントに前記NALユニットが存在しているか否かを検索し、
前記ベース・ビューの前記ビュー・コンポーネントに前記前記NALユニットが存在していない場合、前記ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを算出し、
前記ベース・ビューの前記ビュー・コンポーネントに前記前記NALユニットが存在している場合、前記前記NALユニットから、前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを構文解析し、
前記ノン・ベース・ビューのビュー・コンポーネントに含まれる画像を含むNALユニットを構文解析し、
算出または構文解析された前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータ、および、構文解析された前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを用いて、前記ノン・ベース・ビューの前記ビュー・コンポーネントに含まれる前記画像を復号する
画像復号方法。

【請求項2】

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータ、および、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータは、それぞれ、非IDRフラグ(non_idr_flag)、優先ID(priority_id)、ビューID(view_id)、時間ID(temporal_id)、アンカー・ピクチャ・フラグ(anchor_pic_flag)およびビュー間予測フラグ(inter_view_flag)を含む
請求項1に記載の画像復号方法。

【請求項3】

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを算出する際には、
前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから、前記非IDRフラグ(non_idr_flag)の値を取得し、
前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記非IDRフラグ(non_idr_flag)に、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから取得された前記非IDRフラグ(non_idr_flag)の値を割り当て、
前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記優先ID(priority_id)に、予め定められた第1の値を割り当て、
前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記ビューID(view_id)に、予め定められた第2の値を割り当て、

前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから、前記時間ID(temporal_id)の値を取得し、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記時間ID(temporal_id)に、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから取得された前記時間ID(temporal_id)の値を割り当て、

前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから、前記アンカー・ピクチャ・フラグ(anchor_pic_flag)の値を取得し、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記アンカー・ピクチャ・フラグ(anchor_pic_flag)に、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから取得された前記アンカー・ピクチャ・フラグ(anchor_pic_flag)の値を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記ビュー間予測フラグ(inter_view_flag)に、予め定められた第3の値を割り当てる

請求項2に記載の画像復号方法。

【請求項4】

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを算出する際には、

前記ベース・ビューのNALユニット・ヘッダから、NALユニット・タイプ(nal_unit_type)の値を取得し、

前記NALユニット・タイプ(nal_unit_type)の値が5である場合、前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記非IDRフラグ(non_idr_flag)に、0を割り当て、

前記NALユニット・タイプ(nal_unit_type)の値が1である場合、前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記非IDRフラグ(non_idr_flag)に、1を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記優先ID(priority_id)に、予め定められた第1の値を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記ビューID(view_id)に、予め定められた第2の値を割り当て、

前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから、前記時間ID(temporal_id)の値を取得し、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記時間ID(temporal_id)に、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから取得された前記時間ID(temporal_id)の値を割り当て、

前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから、前記アンカー・ピクチャ・フラグ(anchor_pic_flag)の値を取得し、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記アンカー・ピクチャ・フラグ(anchor_pic_flag)に、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから取得された前記アンカー・ピクチャ・フラグ(anchor_pic_flag)の値を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記ビュー間予測フラグ(inter_view_flag)に、予め定められた第3の値を割り当てる

請求項2に記載の画像復号方法。

【請求項5】

前記優先ID(priority__id)に割り当てられる前記予め定められた第1の値は、0である

請求項3または請求項4に記載の画像復号方法。

【請求項6】

前記ビューID(view__id)に割り当てられる前記予め定められた第2の値は、0である

請求項3～5のいずれか1項に記載の画像復号方法。

【請求項7】

前記ビュー間予測フラグ(inter__view__flag)に割り当てられる前記予め定められた第3の値は、1である

請求項3～6のいずれか1項に記載の画像復号方法。

【請求項8】

多視点映像を符号化する画像符号化方法であって、

ベース・ビューの画像を符号化し、

前置NALユニットなしで、前記ベース・ビューの符号化された前記画像を含むビュー・コンポーネントをNALユニットに書き込み、

ノン・ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを特定し、

前記ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを算出し、

算出された前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータ、および、特定された前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを用いて、前記ノン・ベース・ビューの画像を符号化し、

前記ノン・ベース・ビューの符号化された前記画像を含むビュー・コンポーネントをNALユニットに書き込む

画像符号化方法。

【請求項9】

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータ、および、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータは、それぞれ、非IDRフラグ(non__idr__flag)、優先ID(priority__id)、ビューID(view__id)、時間ID(temporal__id)、アンカー・ピクチャ・フラグ(anchor__pic__flag)およびビュー間予測フラグ(inter__view__flag)を含む

請求項8に記載の画像符号化方法。

【請求項10】

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを算出する際には、

前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから、前記非IDRフラグ(non__idr__flag)の値を取得し、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記非IDRフラグ(non__idr__flag)に、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから取得された前記非IDRフラグ(non__idr__flag)の値を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記優先ID (priority_id)に、予め定められた第1の値を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記ビューID (view_id)に、予め定められた第2の値を割り当て、

前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから、前記時間ID (temporal_id)の値を取得し、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記時間ID (temporal_id)に、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから取得された前記時間ID (temporal_id)の値を割り当て、

前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから、前記アンカー・ピクチャ・フラグ (anchor_pic_flag)の値を取得し、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記アンカー・ピクチャ・フラグ (anchor_pic_flag)に、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから取得された前記アンカー・ピクチャ・フラグ (anchor_pic_flag)の値を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記ビュー間予測フラグ (inter_view_flag)に、予め定められた第3の値を割り当てる

請求項9に記載の画像符号化方法。

【請求項11】

多視点映像を符号化する画像符号化方法であって、

ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを特定し、

ノン・ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを特定し、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを前置NALユニットに書き込むか否かを切り替え、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを前記前置NALユニットに書き込むように切り替えられた場合、特定された前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを前記前置NALユニットに書き込み、

前記ベース・ビューの画像を符号化し、

前記ベース・ビューの符号化された前記画像を含むビュー・コンポーネントをNALユニットに書き込み、

特定された前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータ、および、特定された前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを用いて、前記ノン・ベース・ビューの画像を符号化し、

前記ノン・ベース・ビューの符号化された前記画像を含むビュー・コンポーネントをNALユニットに書き込む

画像符号化方法。

【請求項12】

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータ、および、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータは、それぞれ、非IDRフラグ (non_idr_flag)、優先ID (priority_id)、ビューID (view_id)、時間ID (temporal_id)、アンカー・ピクチャ・フラグ (anchor_pic_flag)およびビュー間予測フラグ (inter_view_flag)を含み、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを特定する際には、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記優先ID (priority__id)に、予め定められた第1の値を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記ビューID (view__id)に、予め定められた第2の値を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記ビュー間予測フラグ (inter__view__flag)に、予め定められた第3の値を割り当てる

請求項11に記載の画像符号化方法。

【請求項13】

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを算出する際には、

前記ベース・ビューのNALユニット・ヘッダから、NALユニット・タイプ (nal__unit__type)の値を取得し、

前記NALユニット・タイプ (nal__unit__type)の値が5である場合、前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記非IDRフラグ (non__idr__flag)に、0を割り当て、

前記NALユニット・タイプ (nal__unit__type)の値が1である場合、前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記非IDRフラグ (non__idr__flag)に、1を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記優先ID (priority__id)に、予め定められた第1の値を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記ビューID (view__id)に、予め定められた第2の値を割り当て、

前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから、前記時間ID (temporal__id)の値を取得し、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記時間ID (temporal__id)に、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから取得された前記時間ID (temporal__id)の値を割り当て、

前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから、前記アンカー・ピクチャ・フラグ (anchor__pic__flag)の値を取得し、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記アンカー・ピクチャ・フラグ (anchor__pic__flag)に、前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータから取得された前記アンカー・ピクチャ・フラグ (anchor__pic__flag)の値を割り当て、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータの前記ビュー間予測フラグ (inter__view__flag)に、予め定められた第3の値を割り当てる

請求項9に記載の画像符号化方法。

【請求項14】

前記優先ID (priority__id)に割り当てられる前記予め定められた第1の値は、0である

請求項10、12、13のいずれか1項に記載の画像符号化方法。

【請求項15】

前記ビューID (view__id)に割り当てられる前記予め定められた第2の値は、0である

請求項10、12、13、14のいずれか1項に記載の画像符号化方法。

【請求項16】

前記ビュー間予測フラグ (inter__view__flag)に割り当てられる前記予め定められた第3の値は、1である

請求項10、12、13、14、15のいずれか1項に記載の画像符号化方法。

【請求項17】

多視点映像を復号する画像復号装置であって、

ベース・ビューのビュー・コンポーネントに含まれる画像を含むNALユニットを構文解析するベース・ビュー・NALユニット構文解析部と、

前記ベース・ビューの前記ビュー・コンポーネントに含まれる前記画像を復号するベース・ビュー復号部と、

ノン・ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを構文解析するノン・ベース・ビュー・MVC拡張パラメータ構文解析部と、

前記ベース・ビューの前記ビュー・コンポーネントに前置NALユニットが存在しているか否かを検索する前置NALユニット検索部と、

前記ベース・ビューの前記ビュー・コンポーネントに前記前置NALユニットが存在していない場合、前記ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを算出するベース・ビュー・MVC拡張パラメータ算出部と、

前記ベース・ビューの前記ビュー・コンポーネントに前記前置NALユニットが存在している場合、前記前置NALユニットから、前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを構文解析するベース・ビュー・MVC拡張パラメータ構文解析部と、

前記ノン・ベース・ビューのビュー・コンポーネントに含まれる画像を含むNALユニットを構文解析するノン・ベース・ビュー・NALユニット構文解析部と、

算出または構文解析された前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータ、および、構文解析された前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを用いて、前記ノン・ベース・ビューの前記ビュー・コンポーネントに含まれる前記画像を復号するノン・ベース・ビュー復号部とを備える

画像復号装置。

【請求項18】

多視点映像を符号化する画像符号化装置であって、

ベース・ビューの画像を符号化するベース・ビュー符号化部と、

前置NALユニットなしで、前記ベース・ビューの符号化された前記画像を含むビュー・コンポーネントをNALユニットに書き込むベース・ビュー書き込み部と、

ノン・ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを特定するノン・ベース・ビュー・MVC拡張パラメータ特定部と、

前記ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを算出するベース・ビュー・MVC拡張パラメータ算出部と、

算出された前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータ、

および、特定された前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを用いて、前記ノン・ベース・ビューの画像を符号化するノン・ベース・ビュー符号化部と、

前記ノン・ベース・ビューの符号化された前記画像を含むビュー・コンポーネントをNALユニットに書き込むノン・ベース・ビュー書き込み部とを備える

画像符号化装置。

【請求項19】

多視点映像を符号化する画像符号化装置であって、

ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを特定するベース・ビュー・MVC拡張パラメータ特定部と、

ノン・ベース・ビューのNALユニット・ヘッダ・MVC拡張パラメータを特定するノン・ベース・ビュー・MVC拡張パラメータ特定部と、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを前置NALユニットに書き込むか否かを切り替える前置NALユニット書き込み切り替え部と、

前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを前記前置NALユニットに書き込むように切り替えられた場合、特定された前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを前記前置NALユニットに書き込む前置NALユニット書き込み部と、

前記ベース・ビューの画像を符号化するベース・ビュー符号化部と、

前記ベース・ビューの符号化された前記画像を含むビュー・コンポーネントをNALユニットに書き込むベース・ビュー書き込み部と、

特定された前記ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータ、および、特定された前記ノン・ベース・ビューの前記NALユニット・ヘッダ・MVC拡張パラメータを用いて、前記ノン・ベース・ビューの画像を符号化するノン・ベース・ビュー符号化部と、

前記ノン・ベース・ビューの符号化された前記画像を含むビュー・コンポーネントをNALユニットに書き込むノン・ベース・ビュー書き込み部とを備える

画像符号化装置。



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,824	10/08/2010	Chong Soon LIM	2010_1411A	8624
52349 7590 01/04/2011 WENDEROTH, LIND & PONACK L.L.P. 1030 15th Street, N.W. Suite 400 East Washington, DC 20005-1503			EXAMINER	
			ART UNIT	PAPER NUMBER
			2482	
			NOTIFICATION DATE	DELIVERY MODE
			01/04/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ddalecki@wenderoth.com
eoa@wenderoth.com



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**DIRECTOR OFFICE
TECHNOLOGY CENTER 2400**

WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington DC 20005-1503

In re Application of	:	
LIM, CHONG SOON, et al.	:	DECISION ON REQUEST TO
Application No. 12/900,824	:	PARTICIPATE IN PATENT
Filed: October 8, 2010	:	PROSECUTION HIGHWAY
Attorney Docket No. 2010_1411A	:	PROGRAM AND PETITION
	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(d)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(d), filed October 8, 2010 to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application be (a) a national stage entry of the corresponding PCT application, or (b) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (c) a national stage application that claims domestic/foreign priority to the corresponding PCT application, (d) a national application which forms the basis for the priority claim in the corresponding PCT application, or (e) a continuation application of the U.S. application which satisfies one of the above (a) to (d) scenarios.
- (2) A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the corresponding PCT application(s) which indicates at least one claim in the PCT application has novelty, inventive step, and industrial applicability.
- (3) A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application(s).
- (4) English translations of the documents in (2) and (3) (if the documents are not in the English language).
- (5) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claims which were indicated as having novelty, inventive step, and industrial applicability in the corresponding PCT application(s).
- (6) Examination of the U.S. application has not begun;

(7) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application(s) and

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Mehrdad Dastouri at 571-272-7418.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Mehrdad Dastouri/

Mehrdad Dastouri
Quality Assurance Specialist
Technology Center 2400



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MAR 10 2011

PCT LEGAL ADMINISTRATION

PARKER-HANNIFIN CORPORATION
HUNTER MOLNAR BAKER MORGAN
6035 PARKLAND BOULEVARD
CLEVELAND OH 44124-4141

In re Application of	:	
BJORN, Eriksson	:	DECISION ON
Application No.: 12/900,860	:	
Filing Date: 08 October 2010	:	PETITION
Attorney Docket No.: 2802-521-011	:	
For: FLUID VALVE ARRANGEMENT	:	UNDER 37 CFR 1.137(b)

Applicant's petition under 37 C.F.R. 1.137(b), filed in the United States Patent and Trademark Office on 08 October 2010 is **GRANTED**.

BACKGROUND

On 08 October 2010, applicant filed, *inter alia*, a continuation application accompanied by this petition.

DISCUSSION

A petition to revive an abandoned application under 37 CFR 1.137(b) must be filed without intentional delay from the time the application became abandoned and/or applicant first became aware of the abandoned status of the application. A petition under 37 CFR 1.137(b) must be accompanied by (1) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, (2) a proposed response, (3) the petition fee required by law (37 CFR 1.17(m)), and (4) a terminal disclaimer and fee (if the international application was filed prior to June 8, 1995).

Applicant states that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate petition fee has been paid. A proper response in the form of a continuing application under 35 U.S.C. 111(a) has been submitted. A terminal disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

CONCLUSION

The petition to revive international application PCT/SE2007/050486 abandoned under 37 CFR 1.137(b) is **GRANTED** as to the National Stage in the United States of America for purposes of continuity only and since continuity has been established by this decision reviving

Application No. 12/900,860

-2-

the international application, the international application is again abandoned in favor of the present continuing application number 12/900,860.

This application is being referred to the Office of Patent Application Processing for processing as a regular U.S. application under 35 U.S.C. 111(a).

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

Doc Code: PET.AUTO Document Description: Petition automatically granted by EFS-Web		PTO/SB/140 U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	PETITION TO WITHDRAW AN APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE UNDER 37 CFR 1.313(c)	
Application Number	12900908	
Filing Date	08-Oct-2010	
First Named Inventor	Steven FYKE	
Art Unit	2618	
Examiner Name	TUAN PHAM	
Attorney Docket Number	184607-426711-T1300-7-US1	
Title	SYSTEM AND METHOD FOR SELECTIVELY ACTIVATING A COMMUNICATION DEVICE	
<p>An application may be withdrawn from issue for further action upon petition by the applicant. To request that the Office withdraw an application from issue, applicant must file a petition under this section including the fee set forth in § 1.17(h) and a showing of good and sufficient reasons why withdrawal of the application from issue is necessary.</p> <p>APPLICANT HEREBY PETITIONS TO WITHDRAW THIS APPLICATION FROM ISSUE UNDER 37 CFR 1.313(c).</p> <p>A grantable petition requires the following items:</p> <p>(1) Petition fee; and</p> <p>(2) One of the following reasons:</p> <p>(a) Unpatentability of one or more claims, which must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;</p> <p>(b) Consideration of a request for continued examination in compliance with § 1.114 (for a utility or plant application only); or</p> <p>(c) Express abandonment of the application. Such express abandonment may be in favor of a continuing application, but not a CPA under 37 CFR 1.53(d).</p>		
<p>Petition Fee</p> <p><input type="checkbox"/> Applicant claims SMALL ENTITY status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).</p> <p><input type="checkbox"/> Applicant(s) status remains as SMALL ENTITY.</p> <p><input checked="" type="checkbox"/> Applicant(s) status remains as other than SMALL ENTITY</p>		
Reason for withdrawal from issue		

- ☐ One or more claims are unpatentable
- ☒ Consideration of a request for continued examination (RCE) (List of Required Documents and Fees)
- ☐ Applicant hereby expressly abandons the instant application (any attorney/agent signing for this reason must have power of attorney pursuant to 37 CFR 1.32(b)).

RCE request, submission, and fee.

- ☐ I certify, in accordance with 37 CFR 1.4(d)(4) that:
- ☐ The RCE request, submission, and fee have already been filed in the above-identified application on
- ☒ Are attached.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

- ☒ An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.
- ☐ An attorney or agent registered to practice before the Patent and Trademark Office, acting in a representative capacity.
- ☐ A sole inventor
- ☐ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors
- ☐ A joint inventor; all of whom are signing this e-petition
- ☐ The assignee of record of the entire interest that has properly made itself of record pursuant to 37 CFR 3.71

Signature	/Bob Nakano/
Name	Robert Nakano
Registration Number	46498



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Decision Date : February 8, 2012

In re Application of :

Steven FYKE

DECISION ON PETITION

UNDER CFR 1.313(c)(2)

Application No : 12900908

Filed : 08-Oct-2010

Attorney Docket No : 184607-426711-T1300-7-US1

This is an electronic decision on the petition under 37 CFR 1.313(c)(2), filed February 8, 2012 , to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid in this application cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

This application file is being referred to Technology Center AU 2618 for processing of the request for continuing examination under 37 CFR 1.114 .

Office of Petitions



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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, LLP
1940 DUKE STREET
ALEXANDRIA, VA 22314

MAILED

FEB 09 2012

OFFICE OF PETITIONS

In re Application of
Toshikazu ONO et al.
Application No.: 12/900,957
Filed: October 8, 2010
Attorney Docket No.: 369638US26
For: Internal Resistance Estimation
Apparatus for Power Storage Device...

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(a), filed December 20, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:


1. The U.S. application is
 - a. a Paris Convention application which either
 - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - i. validly claims priority to an application filed in the JPO, or
 - ii. validly claims priority under 35 U.S.C 365 (b) to a PCT application that contains no priority claims, or
 - iii. contains no priority claim, or
 - c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - i. validly claims priority under 35 U.S.C 365 (b) to an application filed in the JPO, or
 - ii. validly claims priority under 35 U.S.C 365 (b) to a PCT application that contains no priority claims, or

- iii. contains no priority claim;
- 2. Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the JPO application(s);
 - b. An English translation of the allowable/patentable claim(s) if not in English and
 - c. A statement that the English translation is accurate;
- 3. Applicant must:
 - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
 - b. Submit a claims correspondence table in English;
- 4. Examination of the U.S. application has not begun;
- 5. Applicant must submit:
 - a. a copy: all office action(s) from of each of the JPO application(s) containing the allowable/patentable claim(s)
 - b. An English language translation of the JPO Office action if not in English
 - c. A statement that the English translation is accurate;
- 6. Applicant must submit:
 - a. An IDS listing the documents cited by the JPO examiner in the JPO office action(s) (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Joanne Hama at 571-272-2911 or in her absence, the undersigned at 571-272-7099.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.


David Bucci
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 83166276

Application Number
(if known): 12/900,959

Filing date: October 8, 2010

First Named
Inventor: Eric Kurtz

Title: METHOD FOR CONTROLLING LOW TEMPERATURE COMBUSTION

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /John D. Russell/

Date March 29, 2011

Name John D. Russell
(Print/Typed)

Registration Number 47,048

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

☒ *Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Eric Kurtz et al.
Application No. : 12/900,959
Filed : October 8, 2010
Title : METHOD FOR CONTROLLING LOW TEMPERATURE
COMBUSTION
Group Art Unit : 3747
Confirmation No. : 8916
Docket No. : 83166276

Commissioner for Patents
P.O. Box 1450
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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the U.S. Patent and Trademark Office electronic filing system (EFS-Web) to the USPTO on:

March 29, 2011

Date

/Angie C. Farr/

Angie C. Farr

STATEMENTS OF SPECIAL STATUS

Applicants respectfully request consideration of the following statement concerning the basis for the special status as well as the following statement pertaining to the materiality standard.

I. Statement concerning the basis for special status.

Applicants submit that special status is sought on the following bases: (1) the claimed invention materially enhances the quality of the environment.

II. Statement pertaining to the materiality standard.

As a preliminary matter, Applicants note that the following statement refers explicitly to the elements of independent claim 1, which is the broadest claim in many respects.

Regarding basis (1), Applicants submit that the claimed invention materially enhances the quality of the environment by reducing vehicle emissions, which can negatively impact the quality of the environment. Specifically, the claimed invention adjusts fuel injection pressure and fuel injection timing to mitigate the emission-degrading effects of varying cetane fuel. As explained the Background and Summary of

the subject application, the cetane number of a fuel provides a reference to the ignition delay of the fuel. In particular, higher cetane fuels have a shorter ignition delay and lower cetane fuels have longer ignition delay. The only fuel cetane requirement in the U.S. is for cetane to be greater than 40, and testing has revealed that consumer diesel fuel cetane may vary at least from 40.3 to 56.9. Although it may not be useful to determine a specific cetane number for a combusted fuel during engine operation, it has been recognized that engine emissions can vary with cetane because the variation in ignition delay can affect combustion products of a cylinder air-fuel mixture. For example, FIGS. 2B and 2C of the subject application demonstrate that particulate matter and NOx levels increase with increasing cetane number. The claimed invention addresses this issue by adjusting the fuel injection pressure and timing to mitigate the negative emission consequences of high cetane fuel. For example, claim 1 recites:

An engine operating method, comprising:
combusting an air-fuel mixture in a cylinder where a delay from end of fuel injection to start of combustion is present; and
adjusting fuel injection pressure and start of fuel injection timing in response to feedback from combusting the air-fuel mixture, the fuel injection pressure increasing as start of fuel injection timing is retarded.

By increasing fuel injection pressure and retarding start of fuel injection timing, it may be possible to provide combustion heat release during low temperature combustion for higher cetane fuel that is similar to that of a nominal cetane fuel. In this way, the injection timing and pressure adjustments for a fuel having a cetane number that varies from a nominal cetane number can be adjusted so that engine emissions levels are maintained even when a different level cetane fuel is combusted. Thus, when high cetane number fuel is combusted, vehicle emissions may be reduced, therefore enhancing the quality of the environment.

Please charge any cost incurred in this filing, along with any other costs, to
Deposit Account No. 06-1510.

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL &
TUTTLE LLP

/John D. Russell/

John D. Russell

Registration No. 47,048

Customer No. 36865

Attorney/Agent for Applicants/Assignee

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/900,959	10/08/2010	Eric Kurtz	83166276	8916
36865 7590 04/12/2011 ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP 806 S.W. BROADWAY, SUITE 600 PORTLAND, OR 97205			EXAMINER HUYNH, HAI H	
			ART UNIT 3747	PAPER NUMBER
			MAIL DATE 04/12/2011	DELIVERY MODE PAPER

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The time period for reply, if any, is set in the attached communication.



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ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND OR 97205

In re Application of	:	
KURTZ, ERIC et al	:	DECISION ON PETITION
Application No. 12/900,959	:	TO MAKE SPECIAL UNDER
Filed: Oct. 8, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83166276	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 29, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3747 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700



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OFFICE OF PETITIONS

SUMMA, ADDITON & ASHE, P.A.
11610 NORTH COMMUNITY HOUSE ROAD
SUITE 200
CHARLOTTE, NC 28277

APPLICANT(S): KING, et al.
Appl. No.: 12/901,026
Filing Date: October 8, 2010
Title: MICROWAVE ASSISTED CHEMICAL SYNTHESIS INSTRUMENT WITH
CONTROLLED PRESSURE RELEASE
Attorney Docket No.: 1700.113US4
Pub. No.: US 2011/ 0042372 A1
Pub. Date: February 24, 2011

This is a decision on the request for correction of patent application publication under
37 CFR 1.221(b), received on March 14, 2011, for the above-identified application.

The request is granted

The corrected patent application publication will be published in due course, unless the patent
issues before the application is republished.

Inquiries relating to this matter may be directed to Sherry D. Brinkley at (571) 272-3204.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 238739-1

Application Number
(if known): 12/901073

Filing date: 10-8-2010

First Named
Inventor: Eugenio Yegro Segovia

Title: CONFIGURATION OF A WIND TURBINE NACELLE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Douglas D. Zhang/

Date 1-5-2011

Name
(Print/Typed) Douglas D. Zhang

Registration Number 37,985

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

☐ *Total of forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)**

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/901,073	10/08/2010	Eugenio Yegro Segovia	238739	9177
52082	7590	01/12/2011		
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484			EXAMINER MOHANDESI, IRAJ A	
			ART UNIT 2839	PAPER NUMBER
			NOTIFICATION DATE 01/12/2011	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gpo.mail@ge.com
allyson.camaroli@ge.com



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General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of	:	
SEGOVIA et al.	:	DECISION ON PETITION
Application No. 12/901,073	:	TO MAKE SPECIAL UNDER
Filed: October 08, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 238739	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on January 07, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

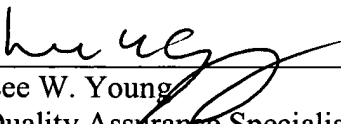
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2839 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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MAILED DEC 21 2010

OBER / KALER
C/O ROYAL W. CRAIG
120 EAST BALTIMORE STREET
SUITE 800
BALTIMORE MD 21202

In re Application of: David Bieber
Application No.: 12/901,108
Filed: October 8, 2010
Title: SOFT SIDED LUGGAGE CASE WITH
INDEPENDENT WHEEL HUB

: DECISION ON PETITION TO
: MAKE SPECIAL FOR NEW
: APPLICATION UNDER 37
: C.F.R. § 1.102 & M.P.E.P. §
: 708.02

This is a decision on the petition filed on October 8, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 U.S.C. 103(c).

REVIEW OF FACTS

The conditions I:1-4, II: 1-5, 5.3, 6, 6.1, 6.5 and 6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, 5.2, 6.2, 6.3, and 6.4 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Discussion

When referring to “the petition” hereinbelow, the received papers under consideration include the PTO/SB/28 form, the “pre-examination search document” including pages 1-5; the “accelerated examination support document” comprising pages 1-22, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 190 subclasses 115, 127, 124, 18, and 40.

Regarding the requirements of section II element 6.2 outlined above, the petition fails to identify all of the limitations in the application claims that are disclosed in each of the reference(s) and where the limitation is disclosed in each of the cited reference. As stated in the policy published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), for each reference cited, the examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. The policy statement does not caveat “the independent claims”, nor does it allow for grouping and general discussions. A grantable petition must delineate every limitation of every claim and identify where the equivalent limitation is disclosed in each piece of prior art cited on the IDS. As is published on www.uspto.gov/web/patents/accelerated/ in “Guidelines for Applicants under the new accelerated examination procedures”):

For each reference cited, the accelerated examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. Applicants should specify where in each of the cited references the particular claim limitations are found. This process is intended to be analogous to the analysis an examiner uses when locating a relevant prior art reference and then determining whether the reference contains the claimed limitation. For each claimed limitation, the examiner would consider the disclosure of the reference and all reasonable portions in the reference where the limitation is shown. When preparing an Office Action, the examiner would correlate the limitation to the portion of reference which best characterizes the limitation. This part of the AESD is not intended to be an exhaustive listing of every conceivable subjective interpretation of how a claim limitation may read on the reference. Applicants should point out what are considered to be the relevant representations of the limitation in the reference. A limitation may be found in more than one portion of the reference and should be pointed out, yet the intention is not to have applicants point out every conceivable interpretation. The USPTO will adopt a rule of reason when evaluating this portion of the AESD. Unless the representation is so deficient that it would materially effect examination of the application (e.g., numerous instances where the limitations are

not shown where applicant states they are), the representation will be deemed to be sufficient for this part of the AESD.

In the instant petition, petitioner does not address each limitation and where it is (or state that it is not) found in each closest prior art. By not addressing all limitations, it is not clear whether a limitation was overlooked in the discussion of the reference or not found in the reference.

Additionally, every reference found in the IDS is not discussed. If applicant wishes to cite references that are not required in an AESD for the examiner to consider, applicant may submit such references in a separate IDS in compliance with 37 CFR §1.97 and §1.98. Applicant should clearly identify the IDS of the AESD that is in support of the petition to make special and, similarly, applicant should clearly identify the separate IDS that is not in support of the petition. Consistent with 37 CFR §10.18, any reference submitted in a separate IDS that is not part of an AESD will be treated as a representation by applicant to the USPTO that no reference submitted in the separate IDS is deemed closer to the subject matter of at least one claim than the references provided in the AESD.

Similarly, with respect to the requirements of section II element 6.3 outlined above, the petition fails to provide a detailed explanation of how each of the claims are patentable over (each of) the reference(s) with particularity required by 37 CFR 1.111(b) and (c). Petitioners should be specific in their explanation and include the identification of specific claim limitations that support their position, where appropriate. Petitioners must distinguish each claim from each piece of prior art cited. General statements that the claims are neither anticipated nor rendered obvious by the cited references or that the references are not properly combinable will not be acceptable. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. Petitioner's statements must also be consistent and must be related to the claim language. In the instant petition, there is no separate section regarding patentability which details with particularity the patentability required by 37 CFR 1.111(b) and (c). Applicant must discuss the references relative to both 35 U.S.C. 102 and 103 with regard to patentability.

A statement that the dependent claims are allowable because the independent claims are patentable is not sufficient. This does not provide guidance to the examiner as to whether the limitations could provide patentability should the examiner find the independent claims unpatentable.

Regarding the requirements of section II element 6.4 outlined above, the petition fails to identify a concise statement of the utility of the invention as defined in each of the independent claims. A general statement directed to the overall concept of the invention is not specifically relating the utility to each of the independent claims as is required by the policy. Petitioner should reference the independent claims specifically when discussing the utility of the invention.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/
Linda J. Sholl
Special Programs Examiner
Technology Center 3700



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Ober, kaler, Grimes & Shriver
100 Light Street
BALTIMORE MD 21202

Mail Date: March 18, 2011

In re Application of: David Bieber	:	
Application No.: 12/901108	:	DECISION ON PETITION TO
Filed: October 8, 2010	:	MAKE SPECIAL FOR NEW
Title: SOFT SIDED LUGGAGE CASE WITH	:	APPLICATION UNDER 37
INDEPENDENT WHEEL HUB	:	C.F.R. § 1.102 & M.P.E.P. §
	:	708.02
	:	

This is a decision on the renewed petition filed on January 21, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391

/Linda Sholl/
Linda Sholl
Special Programs Examiner
Technology Center 3700



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/901,117	10/08/2010	Biin-Jiun UANG	5200/0127PUS1	9287
60601 7590 01/19/2012 Muncy, Geissler, Olds & Lowe, PLLC 4000 Legato Road Suite 310 FAIRFAX, VA 22033			EXAMINER O SULLIVAN, PETER G	
			ART UNIT 1621	PAPER NUMBER
			MAIL DATE 01/19/2012	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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JAN 18 2012


In re Application of	:	
Biin-Jiun UANG, et al	:	NOTICE OF WITHDRAWAL
Serial No. 12/901117	:	FROM ISSUE
Filed: October 8, 2010	:	UNDER 37 CFR 1.313(b)
For: METHOD FOR PREPARING 2-	:	
MORPHOLINOISOBORNANE-10-	:	
THIOL AND INTERMEDIATES	:	
FORMED THEREIN	:	

The purpose of this communication is to inform you that the above-identified application is being withdrawn from issue pursuant to 37 CFR 1.313.

The application is being withdrawn to permit reopening of prosecution. The reasons therefore will be communicated to you by the examiner.

PTO records reveal that the issue fee has not been paid. If the issue fee has been submitted, the applicant may request a refund or may request that the fee be credited to a deposit account. However, applicant may wait until the application is either again found allowable or held abandoned. If the application is allowed, upon receipt of a new Notice of Allowance and Issue Fee Due, applicant may request that the previously submitted issue fee be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due. If the application is abandoned, applicant may request either a refund or a credit to a deposit account.

The application is being forwarded to the examiner for action.


Irem Yucel, Director
Technology Center 1600

MUNCY, GEISSLER, OLDS & LOWE, PLLC
4000 LEGATO ROAD
SUITE 310
FAIRFAX, VA 22033



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SUGHRUE-265550
2100 PENNSYLVANIA AVE. NW
WASHINGTON, DC 20037-3213

MAILED

JAN 25 2012

In re Application of
Takashi Sakamoto, et al.
Application No.: 12/901,144
Filed: October 8, 2010
Attorney Docket No.: Q121239

OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition, filed January 23, 2012, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on December 22, 2011, cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries relating to this decision should be directed to the undersigned at (571) 272-3204.

The application is being referred to Technology Center AU 2884 for further processing of the request for continued examination and for consideration of the concurrently filed Information Disclosure Statement (IDS).

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

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SEP 08 2011

OFFICE OF PETITIONS

NXP, B.V.
NXP INTELLECTUAL PROPERTY & LICENSING
M/S41-SJ
1109 MCKAY DRIVE
SAN JOSE CA 95131

In re Application of :
Johann Baptist Daniel KUEBRICH et al. : ON PETITION
Application No. 12/901,223 :
Filed: October 8, 2010 :
Atty. Docket No.: 81359053US02 :

This is in response to the petition under 37 CFR 1.137(b), filed August 26, 2011, to revive the above-identified application.

The application is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts mailed October 22, 2010 (Notice), which set a shortened period for reply of two (2) months. No extension of time under the provisions of 37 CFR 1.136(a) was obtained. The application became abandoned December 23, 2010. A Notice of Abandonment was mailed July 6, 2011.

The petition satisfies the conditions for revival pursuant to 37 CFR 1.137(b) by including (1) a reply in the form of a Response to the Notice mailed October 22, 2010, (2) a petition fee of \$1620, and (3) a statement of unintentional delay. The reply to the Notice is accepted as having been unintentionally delayed.

Telephone inquiries regarding this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427).

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

Ramesh Krishnan
for Anthony Knight
Director
Office of Petitions

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	12/901,224	Filing date:	10/08/2010
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First Named Inventor:	Jon C. R. Bennett
-----------------------	-------------------

Title of the Invention:	MEMORY SYSTEM WITH MULTIPLE STRIPING OF RAID GROUPS AND METHOD FOR PERFORMING THE SAME
----------------------------	--

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBS/EF5_HELP.HTML](http://www.uspto.gov/ebs/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/52074

The international filing date of the corresponding PCT application(s) is/are:
October 8, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**



Is attached.



Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**



Is attached.



Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED

JAN 18 2012

OFFICE OF PETITIONS

**BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO IL 60610**

In re Application of	: DECISION ON REQUEST TO
Jon C.R. BENNETT	: PARTICIPATE IN PCT-PPH PROGRAM
Application No. 12/901,224	: AND PETITION TO MAKE SPECIAL
Filed: October 8, 2010	: UNDER 37 CFR 1.102(a)
Atty. Docket No.: 13016/90	
For: MEMORY SYSTEM WITH MULTIPLE STRIPING OF RAID GROUPS AND METHOD FOR PERFORMING THE SAME	

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed December 8, 2011, to make the above-identified application special.

The request is **GRANTED**.

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

- (1) the U.S. application must have an eligible relationship to one or more PCT application where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;
- (2) at least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) examination of the U.S. application has not begun;

(6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;

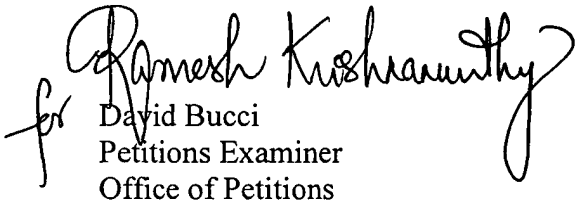
(7) applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications; and

(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427). All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to Technology Center Art Unit 2189 for action on the merits commensurate with this decision once the application's formality reviews have been completed.

for
David Bucci
Petitions Examiner
Office of Petitions



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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**NELSON MULLINS RILEY & SCARBOROUGH LLP
FLOOR 30, SUITE 3000
ONE POST OFFICE SQUARE
BOSTON MA 02109**

MAILED

DEC 22 2011

OFFICE OF PETITIONS

In re Application of
Fateme Mojtabai
Application No. 12/901,244
Filed: October 8, 2010
Attorney Docket No. FMI-001DV

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed December 7, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by Amy E. Mandragouras on behalf of all attorneys/agents associated with customer number 00959. All attorneys/agents associated with customer number 00959 have been withdrawn.

Applicant is reminded that there is no attorney of record at this time.

The correspondence address has been changed and is copied below.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

cc: Fateme Mojtabai
Novatarg Pharmaceutical
98 Jericho Road
Weston, MA 02493



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United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/901,244	10/08/2010	Fatemeh MOJTABAI	FMI-001DV

CONFIRMATION NO. 9596

POWER OF ATTORNEY NOTICE



OC000000051623089

959

NELSON MULLINS RILEY & SCARBOROUGH LLP
FLOOR 30, SUITE 3000
ONE POST OFFICE SQUARE
BOSTON, MA 02109

Date Mailed: 12/22/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 12/07/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/kainabinet/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/901,245	10/08/2010	Williamson Z. Bradford	30481/30036D	9598
89229	7590	11/10/2010		
Marshall, Gerstein & Borun LLP (Intermune)			EXAMINER	
233 South Wacker Drive			MCMILLIAN, KARA RENITA	
6300 Willis Tower			ART UNIT	PAPER NUMBER
Chicago, IL 60606			1627	
			NOTIFICATION DATE	DELIVERY MODE
			11/10/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mgbdoCKET@marshallip.com



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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

NOV 10 2010

Marshall, Gerstein & Borun LLP (Intermune)
233 South Wacker Drive
6300 Willis Tower
Chicago IL 60606

In re Application of:
Bradford et al.

Serial No.: 12/901245

Filed: October 8, 2010

Docket No.: 30481/30036D

:
:
:
: DECISION ON PETITION TO
: MAKE SPECIAL FOR NEW
: APPLICATION UNDER 37
: C.F.R. § 1.102 & M.P.E.P. §
708.02

Title: **METHODS OF ADMINISTERING
PIRFENIDONE THERAPY**

This is a decision on the petition filed on October 8, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the

examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Marianne C. Seidel, Quality Assurance Specialist, at (571) 272-0584.

/MC Seidel/

Marianne C. Seidel, Quality Assurance Specialist
Technology Center 1600



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WAGNER, ANDERSON & BRIGHT, PC
3541 OCEAN VIEW BLVD
GLENDAL CA 91208

MAILED

NOV 30 2010

OFFICE OF PETITIONS

In re Application of	:	
Jacob Y. Wong	:	
Application No. 12/901,355	:	DECISION ON PETITION
Filed: October 8, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 35.158	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 8, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by inventor Jacob Y. Wong attesting to his age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 2612 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions



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Alexandria, VA 22313-1450
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ERIC D. TOWNSEND
9430 W. LILAC ROAD
ESCONDIDO, CA 92026

MAILED

MAR 31 2011

OFFICE OF PETITIONS

In re Application of
Eric Townsend, et al.
Application No. 12/901,362
Filed: October 8, 2010
Attorney Docket No.

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed February 22, 2011

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others.

The request was signed by William Cheng on behalf of all attorneys of record who are associated with this application. All attorneys/agents associated with this application have been withdrawn. Applicant is reminded that there is no attorney of record at this time.

The correspondence address of record remains unchanged.

There are no pending Office actions at the present time.

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642. All other inquiries concerning the examination or status of this application should be directed to the Technology Center.

/AMW/
April M. Wise
Petitions Examiner
Office of Petitions

cc: WILLIAM CHENG
7654 PEACH BLOSSOM DRIVE
CUPERTINO, CA 95014



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/901,362	10/08/2010	Eric Townsend	

Eric D. Townsend
9430 W. Lilac Rd
Escondido, CA 92026

CONFIRMATION NO. 9877
POWER OF ATTORNEY NOTICE



OC000000046846416

Date Mailed: 03/30/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/22/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/amwise/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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WORKMAN NYDEGGER
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY UT 84111

MAILED

MAR 22 2011

OFFICE OF PETITIONS

In re Application of
Nair, et al.
Application No. 12/901,368
Filed/Deposited: 8 October, 2010
Attorney Docket No. 6300.218.1

:
: DECISION ON PETITION
:
:
:

This is a decision on the petition filed on 16 February, 2011, pursuant to 37 C.F.R. §1.47.

The petition as considered under 37 C.F.R. §1.47(a) is **DISMISSED**.

Rule 47 applicant is given TWO (2) MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Pursuant to 37 C.F.R. §1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 C.F.R. §1.136(a).

This is **not** a final agency action within the meaning of 5 U.S.C. §704.

A grantable petition pursuant to 37 C.F.R. §1.47(a) requires: (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address.

Petitioner does not seem to have worked through the requirements of the petition, as set forth above, in satisfaction of those requirements. (*See, generally:* MPEP §409.03, and §409.03(a)—the applicable statute (35 U.S.C. § 116).

In particular, Petitioner has not as of this writing satisfied the requirement(s) of the petition as listed above and discussed below.

Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided.

BACKGROUND

The record reflects as follows:

The application was deposited on 8 October, 2010, without, *inter alia*, a fully executed oath/declaration

On 25 October, 2010, the Office mailed a Notice of Missing Parts requiring, *inter alia*, a fully executed oath/declaration.

On 16 February, 2011, Petitioner John C. Ftringham (Reg. No. 40,831) filed, *inter alia*, a request and fee for extension of time, no petition (and no fee) pursuant to the regulations at 37 C.F.R. §1.47, a statement of facts signed by himself (but without registration number), a confusion as to the inventive entity because while Petitioner submitted a four-page oath/declaration with but one inventor identified and signing (Mr. Guruswamy), Petitioner avers that there are two member of the inventive entity, which includes a non-signing inventor Balakrisnan Nair (Mr. Nair). Thus facts of the matter appear wholly confused by Petitioner and remain un-clarified by him, such that any showing by Petitioner of any diligence in any effort to satisfy the requirements herein and further ascertain a valid/current/reasonably believed to be last known address for the non-signing inventor after a mailing was sent as required —because it is unclear who is and is not a member of the inventive entity. But, then, in the absence of a petition and fee, the Office cannot address the matter substantively.

Petitioners always are reminded:

- *for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided; and*
- *of the duties of candor to—with requirement for diligent inquiry before—the Office and to satisfy the Rules of Practice and the guidance in the Commentary at MPEP §409.03, and §409.03(a), et seq.*

Application No. 12/901,368

Out of an abundance of caution, Petitioner should step through the requirements of a grantable petition under 37 C.F.R. §1.47(a) (i.e., (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address) and satisfy himself that he has complied with these requirements on submission of any renewed petition. (*See also*: the guidance in the Commentary at MPEP §409.03, and §409.03(a), et seq.)

Again, Petitioner has not worked through the requirements of the petition.

Thus, the present incompleteness of the record makes granting of the instant petition inappropriate.

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application. Thus, now if one wishes to know the progress in and/or status of an application or the accuracy of the data therein, one need only look at the file online.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice *and* all others who make representations before the Office must inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation—since all owe to the Office the continuing duty to disclose.¹

The instant petition under 37 C.F.R. §1.47(a) is **dismissed**.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450


¹ See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office). See specifically, the regulations at 37 C.F.R. §10.18.

Application No. 12/901,368

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By FAX: (571) 273-8300
ATTN: Office of Petitions

While telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2²) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).



/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

² The regulations at 37 C.F.R. §1.2 provide:

§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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WORKMAN NYDEGGER
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY UT 84111

MAILED
MAY 26 2011
OFFICE OF PETITIONS

In re Application of :
Nair, et al. : DECISION ON PETITION
Application No. 12/901,368 :
Filed/Deposited: 8 October, 2010 :
Attorney Docket No. 6300.218.1 :

This is a decision on the petition filed on 19 May, 2011, pursuant to 37 C.F.R. §1.47.

The petition as considered under 37 C.F.R. §1.47(a) is **GRANTED**.

A grantable petition pursuant to 37 C.F.R. §1.47(a) requires: (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address.

Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided.

BACKGROUND

The record reflects as follows:

The application was deposited on 8 October, 2010, without, *inter alia*, a fully executed oath/declaration

On 25 October, 2010, the Office mailed a Notice of Missing Parts requiring, *inter alia*, a fully executed oath/declaration.

On 16 February, 2011, Petitioner John C. Stringham (Reg. No. 40,831) filed, *inter alia*, a request and fee for extension of time, no petition (and no fee) pursuant to the regulations at 37 C.F.R. §1.47, a statement of facts signed by himself (but without registration number), a confusion as to the inventive entity because while Petitioner submitted a four-page oath/declaration with but one inventor identified and signing (Mr. Guruswamy), Petitioner avers that there are two member of the inventive entity, which includes a non-signing inventor Balakrisnan Nair (Mr. Nair). Thus facts of the matter appeared wholly confused by Petitioner and remained un-clarified by him, with no showing by Petitioner of any diligence in any effort to satisfy the requirements herein and further ascertain a valid/current/reasonably believed to be last known address for the non-signing inventor after a mailing was sent as required. Thus, it was unclear who was and was not a member of the inventive entity. But, then, in the absence of a petition and fee, the Office could not address the matter substantively. The petition was dismissed on 22 March, 2011.

On 19 May, 2011, Petitioner re-advanced the petition (with fee) pursuant to the regulations at 37 C.F.R. §1.47, a new oath/declaration signed by Mr. Guruswamy on behalf of himself and the non-signing inventor Balakrisnan Nair (Mr. Nair), and evidence of transmittal of the entire application to Mr. Nair through his attorney Thomas A. Turano and Email correspondence from Mr. Turano evidencing Mr. Nair's refusal to sign. Therefore, it appears that Petitioner provided a showing satisfying the requirements under the Rule to wit: showing/proof that the non-signing inventor actually and/or constructively refused to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address. Thus, Petitioner sought to satisfy the requirements pursuant to the Rule and the guidance in the Commentary at MPEP §409.03, and §409.03(a) et seq.), and provide a showing that the non-signing inventor could not be found/refused to sign after diligent effort.

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application. Thus, now if one wishes to know the progress in and/or status of an application or the accuracy of the data therein, one need only look at the file online.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice *and* all others who make representations before the Office must inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation—since all owe to the Office the continuing duty to disclose.¹

¹ See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88

CONCLUSION

The instant petition under 37 C.F.R. §1.47(a) is **granted** (status is accorded pursuant to 37 C.F.R. §1.47(a).)

As provided in 37 C.F.R. §1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The instant application is released to the Office of Patent Application Processing (OPAP) for such processing as required in due course.

Telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2²) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).



/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office). See specifically, the regulations at 37 C.F.R. §10.18.

² The regulations at 37 C.F.R. §1.2 provide:

§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.



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United States Patent and Trademark Office
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BALAKRISHNAN NAIR
11899 BLUFF VIEW DRIVE
SANDY, UT 84092

MAILED
MAY 26 2011
OFFICE OF PETITIONS

In re Application of :
Nair, et al. : DECISION ON PETITION
Application No. 12/901,368 :
Filed/Deposited: 8 October, 2010 :
Attorney Docket No. 6300.218.1 :

Dear Balakrishnan Nair:

You are named as an inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. §116 (United States Code), and 37 C.F.R. §1.47 (Code of Federal Regulations), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as an inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 C.F.R. §1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. §1.63.

Should you elect to join in the application, the contact information for Counsel of Record is set forth at the end of this Communication.

Should you seek to identify independent Counsel, you may find the Patent Attorneys/Agents Search engine of assistance (<https://oedci.uspto.gov/OEDCI/>).

Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Application No. 12/901,368

Telephone inquiries regarding this communication may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2¹) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's/your action(s) and/or inactions. Moreover, the Office can neither advise you nor recommend Counsel in this matter.



/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

CC:
THOMAS A TURANO
K&L GATES LLP
STATE STREET FINANCIAL CENTER
ONE LINCOLN STREET
BOSTON, MA 02111-2950

Counsel of Record:
WORKMAN NYDEGGER
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY UT 84111

¹ The regulations at 37 C.F.R. §1.2 provide:

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MAILED

JUL 20 2011

OFFICE OF PETITIONS

In re Application of	:	
Nair, et al.	:	DECISION ON PETITION
Application No. 12/901,368	:	
Filed/Deposited: 8 October, 2010	:	
Attorney Docket No. 6300.218.1	:	

This is a decision on the paper considered as a petition filed on 7 July, 2011, pursuant to 37 C.F.R. §1.47.

NOTE:

It appears from the record that Petitioner is not of Counsel or of record herein.

Petitioner's statement is present in the record.

As a courtesy, a copy of this decision is being mailed to Petitioner at the address on the petition.

No change in the Correspondence Address data of record will be made in this matter.

The paper considered as a petition pursuant to 37 C.F.R. §1.47(a) is **DISMISSED**.

A grantable petition pursuant to 37 C.F.R. §1.47(a) requires: (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address.

Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided.

BACKGROUND

An outline of the record is set forth in footnote below.¹

Petitioner—not Counsel herein—appears to make a statement of record.

That statement now is present in the record.

As noted above, a grantable petition pursuant to 37 C.F.R. §1.47(a) requires: (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address.

No petition fee was submitted. The Office gives no substantive consideration to a paper to be considered as a petition in the absence of a required petition fee.

¹ The record reflects as follows:

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On 25 October, 2010, the Office mailed a Notice of Missing Parts requiring, *inter alia*, a fully executed oath/declaration.

On 16 February, 2011, Petitioner John C. Stringham (Reg. No. 40,831) filed, *inter alia*, a request and fee for extension of time, no petition (and no fee) pursuant to the regulations at 37 C.F.R. §1.47, a statement of facts signed by himself (but without registration number), a confusion as to the inventive entity because while Petitioner submitted a four-page oath/declaration with but one inventor identified and signing (Mr. Guruswamy), Petitioner avers that there are two member of the inventive entity, which includes a non-signing inventor Balakrisnan Nair (Mr. Nair). Thus facts of the matter appeared wholly confused by Petitioner and remained un-clarified by him, with no showing by Petitioner of any diligence in any effort to satisfy the requirements herein and further ascertain a valid/current/reasonably believed to be last known address for the non-signing inventor after a mailing was sent as required. Thus, it was unclear who was and was not a member of the inventive entity. But, then, in the absence of a petition and fee, the Office could not address the matter substantively. The petition was dismissed on 22 March, 2011.

On 19 May, 2011, Petitioner re-advanced the petition (with fee) pursuant to the regulations at 37 C.F.R. §1.47, a new oath/declaration signed by Mr. Guruswamy on behalf of himself and the non-signing inventor Balakrisnan Nair (Mr. Nair), and evidence of transmittal of the entire application to Mr. Nair through his attorney Thomas A. Turano and Email correspondence from Mr. Turano evidencing Mr. Nair's refusal to sign. Therefore, it appears that Petitioner provided a showing satisfying the requirements under the Rule to wit: showing/proof that the non-signing inventor actually and/or constructively refused to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address. Thus, Petitioner sought to satisfy the requirements pursuant to the Rule and the guidance in the Commentary at MPEP §409.03, and §409.03(a) et seq.), and provide a showing that the non-signing inventor could not be found/refused to sign after diligent effort.

Application No. 12/901,368

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application. Thus, now if one wishes to know the progress in and/or status of an application or the accuracy of the data therein, one need only look at the file online.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice *and* all others who make representations before the Office must inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation—since all owe to the Office the continuing duty to disclose.²

CONCLUSION


The instant petition is **dismissed**.

The instant application is released to the Office of Patent Application Processing (OPAP) for such processing as required in due course.

² See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office). See specifically, the regulations at 37 C.F.R. §10.18.

Application No. 12/901,368

Telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2³) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).


/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

CC
JEFFREY T. HOLMAN
WILSON HARN & HOLMAN
1361 NORTH HWY 89/STE. #9
FARMINTON, UT 84025

³ The regulations at 37 C.F.R. §1.2 provide:

§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt



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JUN 02 2011

OFFICE OF PETITIONS

In re Application of
Balakrishnan Nair et al.
Application No. 12/901,375
Filed: October 8, 2010
Attorney Docket No. 6300.218

:
:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
:

This is in response to the petition filed May 20, 2011 under 37 CFR 1.47(a).

The petition under 37 CFR 1.47(a) is **GRANTED**.

The above-identified application was filed on October 8, 2011 without an executed Oath or Declaration, thus, a Notice to File Missing Parts was mailed October 22, 2010.

In response to the Notice to File Missing Parts, the instant petition, oath or declaration signed by joint inventor Guruswamy but not by joint inventor Nair seeking status under 37 CFR 1.47, and claims that joint inventor Nair refuses to join in the application.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The petition bears proof that the application papers were forwarded to and received by Thomas A. Turano, counsel for non-signing inventor Balakrishnan Nair, who has indicated that Mr. Nair expressly refuses to cooperate with the filing of the instant application, and that to date, has not returned an executed copy of the oath or declaration.

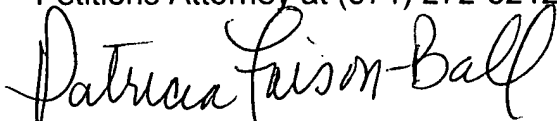
The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). In view thereof, this application is hereby accorded Rule 1.47(a) status.

Thus, as provided in Rule 1.47c, this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Petitioner's deposit account has been charged in the amount of \$1175.00 for a five month extension of time as per the authorization included with the instant petition.

This matter is being referred to the Office of Patent Application Processing for further pre-examination processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in cursive script, reading "Patricia Faison-Ball". The signature is written in black ink and is positioned above the printed name.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

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JUN 02 2011

OFFICE OF PETITIONS

In re Application of
Balakrishnan Nair et al.
Application No. 12/901,387
Filed: October 8, 2010
Attorney Docket No. 6300.217

:
:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
:

This is in response to the petition filed May 20, 2011 under 37 CFR 1.47(a).

The petition under 37 CFR 1.47(a) is **GRANTED**.

The above-identified application was filed on October 8, 2011 without an executed Oath or Declaration, thus, a Notice to File Missing Parts was mailed October 22, 2010.

In response to the Notice to File Missing Parts, the instant petition, oath or declaration signed by joint inventor Guruswamy but not by joint inventors Nair and Nachlas, seeking status under 37 CFR 1.47, and claims that joint inventors Nair and Nachlas refuse to join in the application.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The petition bears proof that the application papers were forwarded to and received by Thomas A. Turano, counsel for non-signing inventors Balakrishnan Nair and Jesse Alan Nachlas, who has indicated that Mr. Nair and Mr. Nachlas expressly refuse to cooperate with the filing of the instant application, and that to date, they have not returned an executed copy of the oath or declaration.

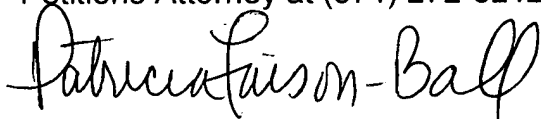
The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). In view thereof, this application is hereby **accorded** Rule 1.47(a) status.

Thus, as provided in Rule 1.47c, this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Petitioner's deposit account has been charged in the amount of \$1175.00 for a five month extension of time as per the authorization included with the instant petition.

This matter is being referred to the Office of Patent Application Processing for further pre-examination processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style with a large initial "P".

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
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FOLEY & LARDNER LLP
975 PAGE MILL ROAD
PALO ALTO CA 94304

MAILED

MAR 06 2012

OFFICE OF PETITIONS

**In re Application of
John St. John et al.
Application No. 12/901,390
Filed: October 8, 2010
Attorney Docket No. 065284-0651**

DECISION ON PETITION TO WITHDRAW FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed February 29, 2012.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by Antoinette F. Konski on behalf of all attorneys/agents associated with customer number 38706. All attorneys/agents associated with customer number 38706 have been withdrawn.

Applicant is reminded that there is no attorney of record at this time.

The correspondence address has been changed and is copied below.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

/Kimberly Inabinet/
Kimberly Inabinet
Petitions Examiner
Office of Petitions

cc: ULURU, Inc.
4452 Beltway Drive
Addison, TX 75001



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/901,390	10/08/2010	John St. John	065284-0651

38706
FOLEY & LARDNER LLP
975 PAGE MILL ROAD
PALO ALTO, CA 94304

CONFIRMATION NO. 9948
POWER OF ATTORNEY NOTICE



OC000000052921700

Date Mailed: 03/02/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/29/2012.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/kainabinet/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City UT 84111

MAILED
JUL 28 2011
OFFICE OF PETITIONS

In re Application of
Nair, et al.
Application No. 12/901,398
Filed: October 8, 2010
Atty. Dkt. No.: 6300.217.1

:
: DECISION GRANTING STATUS
: UNDER 37 CFR 1.47(a)
:
:

This decision is in response to the petition under 37 CFR 1.47(a) filed February 16, 2011.
The petition is GRANTED.

Petitioner has shown that the non-signing inventors have refused to execute the declaration after having been presented with the complete application papers for the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a).
This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions



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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Balakrishnan Nair
11899 Bluff View Drive
Sandy, UT 84092

In re Application of
Nair, et al.
Application No. 12/901,398
Filed: October 8, 2010
Atty. Dkt. No.: 6300.217.1

MAILED
JUL 28 2011
OFFICE OF PETITIONS

Dear Sir:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3205. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions

cc: Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City UT 84111



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Jesse Alan Nachlas
5834 Emigration Canyon
Salt Lake City, UT 84108

In re Application of
Nair, et al.
Application No. 12/901,398
Filed: October 8, 2010
Atty. Dkt. No.: 6300.217.1

MAILED
JUL 28 2011
OFFICE OF PETITIONS

Dear Sir:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3205. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

/ALEZIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions

cc: Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City UT 84111



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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P.O. Box 1450
Alexandria, Virginia 22313-1450
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Bib Data Sheet

CONFIRMATION NO. 9970

SERIAL NUMBER	FILING OR 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
12/901,398	10/08/2010 RULE 1.47	290	2839	6300.217.1
APPLICANTS Balakrishnan Nair, Sandy, UT; Jesse Alan Nachlas, Salt Lake City, UT; Sivaraman Guruswamy, Salt Lake City, UT;				
** CONTINUING DATA ***** This application is a CON of 12/618,560 11/13/2009 PAT 7,816,799 which claims benefit of 61/227,706 07/22/2009				
** FOREIGN APPLICATIONS *****				
IF REQUIRED, FOREIGN FILING LICENSE GRANTED** SMALL ENTITY** ** 10/20/2010				
Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after met Allowance Verified and Acknowledged		STATE OR COUNTRY UT	SHEETS DRAWING 5	TOTAL CLAIMS 20
Examiner's Signature _____ Initials _____		INDEPENDENT CLAIMS 3		
ADDRESS 22913				
TITLE METHOD AND DEVICE FOR ENERGY GENERATION				
FILING FEE RECEIVED 527	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	



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In re Application of
HANS L.G. HARMGARDT

Application No. 12901407

Filed: October 8, 2010

Attorney Docket No. 29668.04

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 10-FEB-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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In re Application of
Ali M. SAJADI

Application No. 12901430

Filed:

Attorney Docket No. 194574

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 08-OCT-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.



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FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW CA 94041

MAILED

JUN 06 2011

OFFICE OF PETITIONS

In re Application of :
Jackson, et al. :
Application No. 12/901,457 : DECISION
Filed/Deposited: 8 October, 2010 :
Attorney Docket No. 23133-17104 :

This is a decision on the petition filed on 11 January, 2011, seeking to have accorded a filing date of 8 October, 2010, for the above-identified application based upon a showing that the omitted drawing/figures were present in the prior-filed application to which this application claimed benefit (pursuant to 37 C.F.R. §1.78 and/or §1.55) on deposit.

The petition is **DISMISSED**.

The instant application was deposited on 8 October, 2010.

On 24 November, 2010, the Office of Patent Application Processing (OPAP) mailed a Notice of Incomplete Nonprovisional Application, stating that the application had not been accorded a filing date because it had been deposited without drawings as required under 35 U.S.C. §113 (first sentence).

The Office indicated that Petitioner could:

- demonstrate on petition the presence of the drawings/figures by presentation of evidence of deposit (e.g., date-stamped receipt card, EFS Acknowledgement Receipt); or
- submit the drawings/figures and accept the date of submission as the filing date.

The Office gave Petitioner two (2) months within which to reply.

On 10 December, 2009, Petitioner filed, *inter alia*, a petition pursuant to 37 C.F.R. §1.57, seeking a filing date of 20 November, 2009, for the application.

Application No. 12/901,457

Petitioner appears to have filed drawings and an amendment under the rule—any determination as to that amendment will be made by the Examiner.

Petitioner's arguments and evidence have been considered. However, a review of the application confirms that, as filed, the application contained at least one method/process/composition claim (see: claim 18). MPEP §601.01(f) provides that:

It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. §113 (first sentence). The same practice has been followed in composition applications.

Thus, pursuant to §601.01(f), a drawing is not considered essential for a filing date. The instant application is entitled to a filing date without drawings present in the application.

Accordingly, the Office should have granted the application a filing date and mailed a Notice of Omitted Items instead of a Notice of Incomplete Nonprovisional Application.

The express incorporation by reference entitled Petitioner to file an amendment under 37 C.F.R. §1.57(b) to add the subject matter of the non-provisional application into the disclosure of this application. Please note that no petition is required for that purpose, but that an amendment must be filed, and that the amendment must comply with 37 C.F.R. §1.57(b) and 37 C.F.R. §1.121 (See: MPEP §201.06(c)(IV).)

The Petition fee is waived and is refunded *via* deposit account. Should Petitioner later find that a petition fee was not refunded, Petitioner should request a refund from the Office of Finance and enclose therewith a copy of this decision.

Pursuant to this decision, the application will be referred to the Office of Patent Application Processing (OPAP) for:

- **correction of the filing date to 8 October, 2010;**
- **indication in Office records, as appropriate, that "0" sheets of drawings were present on filing** and
- **issuance of a filing receipt.**

Application No. 12/901,457

Telephone inquiries concerning this matter should be directed to John J Gillon, Jr., attorney, at (571) 272-3214. Inquiries regarding initial patent application processing should be directed to OPAP at (703) 308-9210.

A handwritten signature in black ink, appearing to read 'Anthony Knight', with a stylized flourish at the end.

Anthony Knight
Director
Office of Petitions



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Alexandria, VA 22313-1450
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Steve Hassid, Silicon Edge Law Group LLP
1115 1/2 YALE STREET
SANTA MONICA CA 90403

MAILED

JAN 25 2011

In re Application of : **OFFICE OF PETITIONS**
Oben :
Application No. 12/901,480 : **ON PETITION**
Deposited: October 8, 2010 :
Attorney Docket No. GHA-079139-012401 :

This is in response to the "PETITION UNDER 37 C.F.R. 1.57 (a)" filed December 24, 2010, requesting that the above-referenced application be accorded a filing date of October 8, 2010. This petition is being treated pursuant to 37 CFR 1.53(e)(2)¹.

Application papers in the above-identified application were deposited on October 8, 2010. However, on October 25, 2010, the Office of Patent Application Processing mailed applicants a "Notice of Incomplete Nonprovisional Application," notifying applicants that the application papers had not been accorded a filing date because the application was deposited without drawings. In response, applicants timely filed this petition. Applicant requests that the application be amended to include the inadvertently omitted drawings on the basis that the application as filed contained a prior benefit claim under 37 CFR 1.55 or 1.78.

Petitioner's arguments and evidence have been considered. However, a review of the application confirms that, as filed, the application contained at least one method claim. MPEP 601.01(f) provides that:

It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

Thus, pursuant to § 601.01(f), a drawing is not considered essential for a filing date. The instant application is entitled to a filing date without drawings present in the application.

Accordingly, the Office should have granted the application a filing date and mailed a Notice of Omitted Items instead of a Notice of Incomplete Nonprovisional Application. As stated in MPEP 601.01(g) under the section entitled, "Application Entitled to a Filing Date," applicant may submit an amendment to include the inadvertently omitted portion of the drawing(s) pursuant to 37 CFR 1.57(a):

¹ Any request for review of a notification pursuant to paragraph (e)(1) of this section, or a notification that the original application papers lack a portion of the specification or drawing(s), must be by way of a petition pursuant to this paragraph accompanied by the fee set forth in § 1.17(f). In the absence of a timely (§ 1.181(f)) petition pursuant to this paragraph, the filing date of an application in which the applicant was notified of a filing error pursuant to paragraph (e)(1) of this section will be the date the filing error is corrected.

[i]f an application was filed on or after September 21, 2004, and contains a claim under 37 CFR 1.55 for priority of a prior-filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application that was present on the filing date of the application, and the omitted portion of the drawing(s) was inadvertently omitted from the application and is completely contained in the prior-filed application[.]

Please note that no petition is required and that the amendment must comply with 37 CFR 1.57(a) and 37 CFR 1.121. See MPEP § 201.17. Any amendment to include the inadvertently omitted drawing(s) will be considered by the examiner.

It should be noted that a review of the drawings submitted shows that the drawings are not compliant with 37 CFR 1.121(d). When the Office receives replacement sheets of drawings for patent applications after the application has been filed, a cover letter identifying the drawings by application number should accompany them. The application number and other identifying indicia should be placed on each sheet of drawings in accordance with 37 CFR 1.84(c). Each drawing sheet submitted after the filing date of the application must be identified as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

To the extent the instant petition requests a filing date of October 8, 2010 with no drawings present in the application, the petition is **GRANTED**.

Given the basis for granting this petition, the petition fee is being refunded.

Pursuant to this decision, the application will be referred to Office of Patent Application Processing for:

- **correction of the filing date to October 8, 2010;**
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing and**
- **for issuance of a filing receipt.**

Telephone inquiries concerning this matter may be directed to Charlema Grant at (571) 272-3215.



Christopher Bottorff
Supervisor
Office of Petitions



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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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MICHAEL WINFIELD GOLTRY
4000 N. CENTRAL AVENUE, SUITE 1220
PHOENIX AZ 85012

MAILED
NOV 09 2010
OFFICE OF PETITIONS

In re Application of	:	
William G. Trout	:	
Application No. 12/901,538	:	DECISION ON PETITION
Filed: October 10, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 4890-A2	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 10, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement from the applicant declaring that he is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3636 for action on the merits commensurate with this decision.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions



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United States Patent and Trademark Office
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NEIFELD IP LAW PC
4813-B EISENHOWER AVENUE
ALEXANDRIA VA 22304

MAILED

JAN 04 2011

OFFICE OF PETITIONS

In re Application of	:	
Moskowitz, et al.	:	
Application No. 12/901,568	:	DECISION ACCORDING STATUS
Filed: October 10, 2010	:	UNDER 37 CFR 1.47(a)
Attorney Docket No. SCOT0010-10	:	

This is in response to the "37 CFR 1.47(b) DECLARATION WHEN AN INVENTOR REFUSES TO SIGN", filed December 1, 2010, which is being treated as a petition under 37 CFR 1.47(a).

The petition under 37 CFR 1.47(a) is GRANTED.

Rule 47 applicant has demonstrated that inventor Cooperman has refused to sign the declaration after having been presented with the application papers.

The petition and declaration have been reviewed and determined to be in compliance with 37 CFR 1.47(a).

The application is hereby accorded Rule 47 status.

As provided in 37 CFR 1.47(c), the Office will provide notice of this application's filing to the non-signing inventor at the address provided in the declaration. Notice will also be provided in the Official Gazette.

While Rule 47 applicant has not provided a statement of the last known address of the non-signing inventor, this address is presumed to be the address listed on the declaration. Rule 47 applicant should inform the Office if this is not correct.

The application is being forwarded to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.

A handwritten signature in black ink, appearing to read 'Cliff Congo', with a stylized 'C' and 'C'.

Cliff Congo
Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MARC COOPERMAN
20 WILDWOOD
SHORT HILLS NJ 07078

MAILED

JAN 04 2011

OFFICE OF PETITIONS

In re Application of :
Moskowitz, et al. :
Application No. 12/901,568 :
Filed: October 10, 2010 : **LETTER**
Title: Optimization Methods for the
Insertion, Protection, and Detection
of Digital Watermarks in Digitized
Data

Dear Mr. Cooperman:

You are named as an inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Cliff Congo at (571)272-3207. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Cliff Congo
Petitions Attorney
Office of Petitions

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

Paper No.: _____

DATE : 3/26/12TO SPE OF : ART UNIT: 2624SUBJECT : Request for Certificate of Correction for Appl. No.: 12/901,568 Patent No. 8,121,343CofC mailroom date 3/16/12

Please respond to this request for a certificate of correction within 7 days.

FOR IFW FILES:

Please review the requested changes/corrections as shown in the **COCIN** document(s) in the IFW application image. No new matter should be introduced, nor should the scope or meaning of the claims be changed.

Please complete the response (see below) and forward the completed response to scanning using document code **COCX**.

FOR PAPER FILES:

Please review the requested changes/corrections as shown in the attached certificate of correction. Please complete this form (see below) and forward it with the file to:

Certificates of Correction Branch (CofC)
Randolph Square – 9D10-A
Palm Location 7580

Ernest C. White, LIE

Certificates of Correction Branch
703-756-1814 _____

Thank You For Your Assistance**The request for issuing the above-identified correction(s) is hereby:**

Note your decision on the appropriate box.

☒ **Approved****All changes apply.**☐ **Approved in Part****Specify below which changes do not apply.**☐ **Denied****State the reasons for denial below.****Comments:** _____

SAMIR AHMED
SUPERVISORY PATENT EXAMINER

2624

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

Paper No.: _____

DATE : 3/26/12

TO SPE OF : ART UNIT: 2624

SUBJECT : Request for Certificate of Correction for Appl. No.: 12/901,568 Patent No. 8,121,343

CofC mailroom date 3/16/12

Please respond to this request for a certificate of correction within 7 days.

FOR IFW FILES:

Please review the requested changes/corrections as shown in the **COCIN** document(s) in the IFW application image. No new matter should be introduced, nor should the scope or meaning of the claims be changed.

Please complete the response (see below) and forward the completed response to scanning using document code **COCX**.

FOR PAPER FILES:

Please review the requested changes/corrections as shown in the attached certificate of correction. Please complete this form (see below) and forward it with the file to:

**Certificates of Correction Branch (CofC)
Randolph Square – 9D10-A
Palm Location 7580**

Ernest C. White, LIE

Certificates of Correction Branch
703-756-1814 _____

Thank You For Your Assistance

The request for issuing the above-identified correction(s) is hereby:

Note your decision on the appropriate box.

☐ **Approved**

All changes apply.

☐ **Approved in Part**

Specify below which changes **do not apply.**

☐ **Denied**

State the reasons for denial below.

Comments: _____

SPE

Art Unit

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 83164527

Application Number
(if known): 12901624

Filing date: 2010-10-11

First Named
Inventor: Joseph Norman Ulrey

Title: Fuel Heating During Cold Start In A Direct-Injection Gasoline Engine

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /David S. Bir/

Date 03-07-2011

Name
(Print/Typed) David S. Bir

Registration Number 38383

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

☐ *Total of forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Joseph Norman Ulrey

Serial No.: 12/901,624

Filed: October 11, 2010

For: Fuel Heating During Cold Start In A Direct-Injection Gasoline
Engine

Group Art Unit: 3747

Examiner: Unknown

Attorney Docket No.: 83164527

**STATEMENT SUPPORTING ELIGIBILITY REQUIREMENT OF
THE GREEN TECHNOLOGY PILOT PROGRAM**

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Statement of Special Status for the Eligibility Requirement is being filed concurrently with a Petition To Make Special Under the Green Technology Pilot Program (PTO/SB/420), and pursuant to the requirements of 74 Fed. Reg. 64,666 (Dec. 8, 2009), as amended by 75 Fed. Reg. 28, 554 (May 21, 2010) and 75 Fed. Reg. 68049 (Nov. 10, 2010).

Applicant respectfully submits that the above-identified application is eligible for the “Green Technology Pilot Program” as materially contributing to the more efficient utilization and conservation of energy resources or the reduction of greenhouse gas emissions.

As explained in the specification, it has been found that particulate matter is emitted from gasoline direct-injection engines during the first 500 seconds after a cold start when the engine is not yet warmed up. Particulate matter is presumed to be formed by fuel directly contacting

surfaces of the combustion chamber, and in particular the piston tops (especially if they are oil cooled) as they warm up more slowly than the cylinder walls and the cylinder head.

The claimed invention is directed to reducing formation of particulate matter in diesel engines during a cold start and warm up cycle. As it is complicated and energy intensive to preheat the combustion chamber surfaces prior to starting the engine, according to an embodiment of the present disclosure, the fuel is heated so that it vaporizes more readily when introduced in the combustion chamber so that little or none of the fuel is in liquid form by the time the fuel jet travels far enough away from the injector to impact combustion chamber surfaces. A gasoline direct-injection engine is disclosed that has a fuel rail, fuel injectors coupled to the fuel rail and supplying fuel into engine cylinders. The engine also has an engine coolant circuit including a water pump to circulate coolant through a water jacket in the engine. A branch from the coolant circuit is provided to the fuel rail. In one embodiment, a portion of the water jacket proximate the exhaust ports and ducts leading out of the cylinders is coupled to the branch of the water jacket leading to the fuel rail. As the coolant in the water jacket in the vicinity of the exhaust is heated more rapidly during a cold start of the engine, the fuel rail will be heated rapidly during a cold start. In some embodiments, an electrical heating element is disposed within the fuel rail to assist in heating the fuel beyond that from the coolant. In one embodiment, a thermostat is provided in the branch of the coolant circuit leading to the water jacket to prevent flow of coolant to the fuel rail when the coolant has not yet achieved a sufficiently high temperature.

Because the claimed invention is directed to reducing emissions during cold start and warm up of a diesel engine, the claimed invention materially contributes to the reduction of greenhouse gas emissions.

The Application is a non-reissue, non-provisional utility application filed under 35 U.S.C. §111(a). The Application contains no more than three (3) independent claims and twenty (20) total claims. The Application does not contain multiple dependent claims. A first Office action has not yet appeared in the Patent Application Information Retrieval System (PAIR).

The publication fee under 37 C.F.R. § 1.18(d) of \$300 has been paid upon filing. Please charge any additional required fees to Deposit Account No. 06-1510 (Ford Global Technologies, LLC).

Respectfully submitted,

JOSEPH NORMAN ULREY

By: /David S. Bir/
David S. Bir
Reg. No. 38383
Attorney for Applicant

Date: March 7, 2011

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/901,624	10/11/2010	Joseph Norman Ulrey	83164527	1485
28395 7590 03/17/2011 BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			EXAMINER	
			ART UNIT	PAPER NUMBER
			3747	
			MAIL DATE	DELIVERY MODE
			03/17/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

In re Application of
ULREY, JOSEPH NORMAN et al
Application No. 12/901,624
Filed: Oct. 11, 2010
Attorney Docket No. 83164527

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DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 7, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed

invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to green technologies. This is not convincing. For example, it is not clear how the claimed engine coolant circuit with a fuel rail branch proximate to exhaust duct will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

The application will be forwarded to the Technology Center Art Unit 3747 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JOSEPH NORMAN ULREY

Serial No.: 12/901,624

Filed: October 11, 2010

For: FUEL HEATING DURING COLD START IN A DIRECT-INJECTION
GASOLINE ENGINE

Attorney Docket No.: 83164527

Group Art Unit: 3747

Examiner: Unknown

**REQUEST FOR RECONSIDERATION OF PETITION TO MAKE
SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Decision on the Petition mailed March 17, 2011, Applicant respectfully requests reconsideration of the petition and Statement in support filed March 7, 2011 for the reasons stated herein.

In the decision dismissing the petition, it was stated that the petition lacked item #4, i.e. a statement pertaining to the materiality standard. Applicant respectfully disagrees as a statement in support of the materiality standard was filed with the petition on March 7, 2011.

The decision states that it is not clear how the claimed engine coolant circuit meets the materiality requirement of reducing greenhouse gas emissions. As explained in the statement filed with the petition on March 7, 2011, the claimed engine cooling circuit reduces particulate matter emitted from a gasoline direct injection engine particularly during the first 500 seconds after a cold start when the engine is not yet warmed up. As claimed in claim 1, for example, "an engine coolant circuit including a coolant pump to circulate coolant through a coolant jacket in

the engine wherein a fuel rail branch from the coolant circuit is provided to the fuel rail and the fuel rail branch is coupled to a portion of the coolant circuit proximate an exhaust duct” to heat the coolant from the exhaust, which coolant heats the fuel so that it vaporizes more readily when introduced to a cold combustion chamber. Particulate matter is a regulated emission. As such, the claimed invention materially contributes to the reduction of greenhouse gas emissions by reducing particulate matter in a gasoline direct injection engine during cold start and warm-up.

Similar to claim 1, independent claim 9 includes “a fuel rail branch coupled substantially directly downstream of the water jacket portion proximate the exhaust duct wherein the fuel rail branch physically contacts the fuel rail” to heat the fuel so that it vaporizes more readily during cold start and warm-up to reduce particulate emissions. Likewise, claim 15 includes “a branch of the coolant circuit proximate the fuel rail” to heat the fuel so that it more readily vaporizes during cold start and warm-up to reduce emissions.

As explained in greater detail in the specification, it has been found that particulate matter is emitted from gasoline direct-injection engines during the first 500 seconds after a cold start when the engine is not yet warmed up. Particulate matter is presumed to be formed by fuel directly contacting surfaces of the combustion chamber, and in particular the piston tops (especially if they are oil cooled) as they warm up more slowly than the cylinder walls and the cylinder head.

The claimed invention is directed to reducing formation of particulate matter in gasoline direct injection engines during a cold start and warm up cycle. As it is complicated and energy intensive to preheat the combustion chamber surfaces prior to starting the engine, according to an embodiment of the present disclosure, the fuel is heated so that it vaporizes more readily when introduced in the combustion chamber so that little or none of the fuel is in liquid form by the time the fuel jet travels far enough away from the injector to impact combustion chamber surfaces. A gasoline direct-injection engine is disclosed that has a fuel rail, fuel injectors coupled to the fuel rail and supplying fuel into engine cylinders. The engine also has an engine coolant circuit including a water pump to circulate coolant through a water jacket in the engine. A branch from the coolant circuit is provided to the fuel rail. In one embodiment, a portion of

the water jacket proximate the exhaust ports and ducts leading out of the cylinders is coupled to the branch of the water jacket leading to the fuel rail. As the coolant in the water jacket in the vicinity of the exhaust is heated more rapidly during a cold start of the engine, the fuel rail will be heated rapidly during a cold start. In some embodiments, an electrical heating element is disposed within the fuel rail to assist in heating the fuel beyond that from the coolant. In one embodiment, a thermostat is provided in the branch of the coolant circuit leading to the water jacket to prevent flow of coolant to the fuel rail when the coolant has not yet achieved a sufficiently high temperature.

Because the claimed invention is directed to reducing emissions during cold start and warm up of a gasoline direct injection engine, the claimed invention materially contributes to the reduction of greenhouse gas emissions as described above.

For the reasons above, reconsideration of the decision dismissing the petition is respectfully requested. No additional fee is believed to be due. However, please charge any required fees to Deposit Account 06-1510.

Respectfully submitted,
JOSEPH NORMAN ULREY

By: /David S. Bir/
David S. Bir
Reg. No. 38383
Attorney for Applicant

Date: April 8, 2011

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
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Fax: 248-358-3351



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/901,624	10/11/2010	Joseph Norman Ulrey	83164527	1485
28395 7590 05/04/2011 BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			EXAMINER	
			ART UNIT	PAPER NUMBER
			3747	
			MAIL DATE	DELIVERY MODE
			05/04/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

In re Application of	:	
ULREY, JOSEPH NORMAN et al	:	DECISION ON PETITION
Application No. 12/901,624	:	TO MAKE SPECIAL UNDER
Filed: Oct. 11, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83164527	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 11, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3747 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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LESAVICH HIGH-TECH LAW GROUP, P.C.
SUITE 325
39 S. LASALLE STREET
CHICAGO IL 60603

MAILED
APR 11 2011
OFFICE OF PETITIONS

In re Application of :

WILLIAMS, Donald S. :

Application No. 12/901,637 :

Filed: October 11, 2010 :

Attorney Docket No. 09,139-A :

**DECISION ON PETITION
TO WITHDRAW
FROM RECORD**

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed March 15, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office requires the practitioner(s) requesting withdrawal to certify that he, she, or they have: (1) given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any responses that may be due and the time frame within which the client must respond, pursuant 37 CFR 10.40(c).

The request was signed by Stephen Lesavich, the sole attorney of record. Stephen Lesavich has been withdrawn as attorney or agent of record. Applicant is reminded that there is no attorney of record at this time.

All future correspondence will be directed to the inventor Donald Williams at the address indicated below.

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at 571-272-2783.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

cc: **DONALD WILLIAMS**
C/O DURATEL, LLC
212 WEST KINZIE STREET 4TH FLOOR
CHICAGO IL 60654



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Donald A. Blackwell

:
:

Application No. 12901678

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

Filed: October 11, 2010

:

Attorney Docket No. DB-USB-ENCAPS

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 21-OCT-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT
PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE
KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO**

Application No.:	12901760	First Named Inventor:	Ronald J. Brandau
Filing Date:	11-Oct-2010	Attorney Docket No.:	10045
Title of the Invention:	Selectable Coupling Level Waveguide Coupler		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBS/DFS_HELP.HTML](http://www.uspto.gov/ebs/efs_help.html).

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PILOT PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US11/50764

The international filing date of the corresponding PCT application(s) is/are: 8 September 2011

I. List of Required Documents:

- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**
 - ☒ is attached.
 - ☐ is not attached because the document is already in the U.S. application.
- b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s)**
 - ☐ is attached.
 - ☒ is not attached because the document is already in the U.S. application.
- c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**
- d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**
 - ☒ is attached.
 - ☐ has already been filed in the above-identified U.S. application on _____
- (2) Copies of all documents (except for U.S. patents or U.S. patent application publications)**
 - ☒ are attached.
 - ☐ have already been filed in the above-identified U.S. application on _____

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	12901760	First Named Inventor:	Ronald J. Brandau
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II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1	1	direct
2	2	direct
3	3	direct
4	4	direct
5	5	direct
6	6	direct
7	7	direct
8	8	direct
9	9	direct
10	10	direct
11	11	direct
12	12	direct
13	13	direct
14	14	direct
15	15	direct
16	16	direct
17	17	direct
18	18	direct
19	19	direct
20	20	direct

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Andrew Babcock, Reg. # 44517/

Date 30 March 2011

Name
(Print/Typed) Andrew Babcock

Registration Number 44517

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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LESAVICH HIGH-TECH LAW GROUP, P.C.
SUITE 325
39 S. LASALLE STREET
CHICAGO IL 60603

MAILED

APR 06 2011

OFFICE OF PETITIONS

In re Application of
WILLIAMS, Donald S.
Application No. 12/901,784
Filed: October 11, 2010
Attorney Docket No. 09,141-A

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed March 15, 2011.

The request is **NOT APPROVED**.

The Office has revised its change in procedure for request to withdraw from representation applies to requests filed on or after May 12, 2008.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office requires the practitioner(s) requesting withdrawal to certify that he, she, or they have: (1) given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any responses that may be due and the time frame within which the client must respond, pursuant 37 CFR 10.40(c).

The request cannot be approved because the filing date on the petition is incorrect. (Please clarify!)

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at 571-272- 2783.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions



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BARNES & THORNBURG LLP
11 SOUTH MERIDIAN
INDIANAPOLIS IN 46204

MAILED

DEC 15 2010

OFFICE OF PETITIONS

In re Application of
Todd S. Smith et al.
Application No. 12/901,803
Filed: October 11, 2010
Attorney Docket No. 265280-213918

:
: **DECISION GRANTING**
: **PETITION**
:

This is a decision on the filing date petition filed November 30, 2010 under 37 CFR 1.57(a). The petition is treated under 37 CFR 1.53(e)(2).

The application was filed on October 11, 2010. However, on October 25, 2010 the Office of Data Management mailed a Notice of Incomplete Application stating that the application had not been filed with drawings and thus, the application could not be accorded a filing date.

In response, the present petition was filed. Petitioner contends that the instant application, upon filing, properly claimed priority to previously filed non-provisional U.S. Application No. 11/027,099 which was incorporated by reference.

Petitioner's arguments and evidence have been considered. However, a review of the application confirms that, as filed, the application contained at least one method claim. MPEP 601.01(f) provides that:

It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence). The same practice has been followed in composition applications.

Thus, pursuant to § 601.01(f), a drawing is not considered essential for a filing date. The instant application is entitled to a filing date without drawings present in the application.

Accordingly, the Office should have granted the application a filing date and mailed a Notice of Omitted Items instead of a Notice of Incomplete Nonprovisional Application.

As stated in MPEP 601.01(g) under the section entitled, "Application Entitled to a Filing Date," applicant may submit an amendment to include the inadvertently omitted portion of the drawing(s) pursuant to 37 CFR 1.57(a):

[i]f an application was filed on or after September 21, 2004, and contains a claim under 37 CFR 1.55 for priority of a prior-filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application that was present on the filing date of the application, and the omitted portion of the drawing(s) was inadvertently omitted from the application and is completely contained in the prior-filed application[.]

Please note that no petition is required and that the amendment must comply with 37 CFR 1.57(a) and 37 CFR 1.121. See MPEP § 201.17 The amendment filed with the instant petition to include the inadvertently omitted drawing(s) will be considered by the examiner.

To the extent the instant petition requests a filing date of October 11, 2010 with no drawings present in the application, the petition is **GRANTED**.

Given the basis for granting this petition, the petition fee is being credited back to deposit account no. 10-0435.

Pursuant to this decision, the application has been referred to Office of Patent Application Processing for:

- correction of the filing date to October 11, 2010
- for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing and
- for issuance of a filing receipt.

Telephone inquiries concerning this matter should be directed to Senior Petitions Attorney Patricia Faison-Ball at (571) 272-3212.



Christopher Bottorff
Supervisor
Office of Petitions



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INTERNATIONAL BUSINESS MACHINES CORPORATION
RICHARD LAU
IPLAW DEPARTMENT / BLDG 008-2
2455 SOUTH ROAD- MS P386
POUGHKEEPSIE NY 12601

MAILED
DEC 22 2011
OFFICE OF PETITIONS

In re Application of :
Jane H. Bartik et al :
Application No. 12/901,805 : DECISION GRANTING PETITION
Filed: October 11, 2010 : UNDER 37 CFR 1.313(c)(2)
Attorney Docket No. POU920080207US2 :

This is a decision on the petition under 37 CFR 1.313(c)(2), filed, December 22, 2011 to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on December 5, 2011 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Telephone inquiries should be directed to Irvin Dingle at (571) 272-3210.

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above. Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).

This matter is being referred to Technology Center AU 2184 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed Information Disclosure Statement.

/Irvin Dingle/
Irvin Dingle
Petitions Examiner
Office of Petitions

cc: Blanche E. Schiller
Heslin Rothenberg Farley & Mesiti P.C.
5 Columbia Circle
Albany, NY 12203-5160



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Hemingway & Hansen, LLP
1717 Main Street
Comerica Bank Tower- Suite 2500
Dallas TX 75201

MAILED
NOV 30 2010
OFFICE OF PETITIONS

In re Application of :
Carl L. Goodzeit et al. :
Application No. 12/901,836 :
Filed: October 11, 2010 :
Attorney Docket No. GOZT-P1004 C1US :

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 11, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by an attorney on behalf of inventor Carl L. Goodzeit attesting to his age and a statement by inventor Carl L. Goodzeit. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 2834 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions



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United States Patent and Trademark Office
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In re Application of
Frederick SAWYER

Application No. 12901889

Filed: October 11, 2010

Attorney Docket No. 127923.00111

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 17-NOV-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/901,890	10/11/2010	Zvi Or-Bach	116727-290372	1045
26694	7590	03/09/2011	EXAMINER	
VENABLE LLP			KEBEDE, BROOK	
P.O. BOX 34385			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20043-9998			2894	
			MAIL DATE	DELIVERY MODE
			03/09/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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VENABLE LLP
P.O. BOX 34385
WASHINGTON DC 20043-9998

In re Application of:	:	
OR-BACH et al.	:	DECISION ON PETITION TO
Serial No.: 12/901,890	:	MAKE SPECIAL FOR NEW
Filed: October 11, 2010	:	APPLICATION UNDER 37
Title: SEMICONDUCTOR DEVICE AND	:	C.F.R. § 1.102 & M.P.E.P. § 708.2
STRUCTURE	:	

This is a decision on the petition filed on October 11, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview;
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner; and
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
 - 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable expectation; and
 - 5.3. encompass the disclosed features that may be claimed.
6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:
- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
 - 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
 - 6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
 - 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
 - 6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists; and
 - 6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions regarding the application (section I, subsections 1-4) discussed above are considered to have been met. Additionally, the conditions regarding the petition (section II, subsections 1-4) are considered to have been met. However, the petition fails to comply with the all the conditions set forth in section II, subsections 5 and 6. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Regarding the requirements of section II, subsection 5.1, it appears the search outlined in the petition omitted critical search areas by not searching in class 257 subclass 308 and class 438 subclasses 149 and 157 at a minimum to include a fin electrodes with central post and thin film transistors having plural gate electrodes. Any renewed petition should include the above outlined additional searching.

Regarding the requirements of section II, subsection 6.3, petitioner does not specifically point out the particular language of the claims that distinguishes over the references. The petition fails to provide a detailed explanation of how each of the claims are patentable over each of the references with particularity required by 37 CFR 1.111(b) and (c) and not merely state that the references do not disclose the claim limitations. 37 CFR § 1.111 (b) states “[a] general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.” 37 CFR § 1.111 (c) states in part “the applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made.” The support document basically just reiterates all of the limitations of each claim and merely state that the references do not disclose or suggest all of the given limitations. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. For these reasons, the petition does not meet the requirement of section II, subsection 6.3.

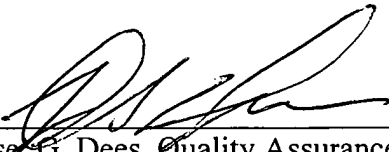
DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petition is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiries regarding this decision should be directed to Quality Assurance Specialist Jose' G. Dees at (571) 272-1569.



Jose G. Dees, Quality Assurance Specialist
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/901,890	10/11/2010	Zvi Or-Bach	116727-290372	1045
26694	7590	04/07/2011	EXAMINER	
VENABLE LLP			KEBEDE, BROOK	
P.O. BOX 34385			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20043-9998			2894	
			MAIL DATE	DELIVERY MODE
			04/07/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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VENABLE LLP
P.O. BOX 34385
WASHINGTON DC 20043-9998

APR 7 2011

In re Application of:	:	
Zvi OR-BACH, <i>et al.</i>	:	DECISION ON PETITION TO
Serial No.: 12/901890	:	MAKE SPECIAL FOR NEW
Filed: 11 October 2010	:	APPLICATION UNDER 37
Title: SEMICONDUCTOR DEVICE AND	:	C.F.R. § 1.102 & M.P.E.P. § 708.2
STRUCTURE	:	

This is a decision on the renewed petition filed on 25 March 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DENIED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview;
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner; and
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
 - 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable expectation; and
 - 5.3. encompass the disclosed features that may be claimed.
6. must provide in support of the petition an accelerated examination support document.
- An accelerated examination support document must include:
- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
 - 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
 - 6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
 - 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
 - 6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists; and
 - 6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions regarding the application (section I, subsections 1-4) discussed above are considered to have been met. Additionally, the conditions regarding the petition (section II, subsections 1-5) are considered to have been met. However, the petition fails to comply with the all the conditions set forth in section II, subsection 6. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

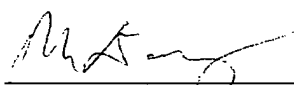
Regarding the requirements of section II, subsection 6.3 outlined above, the petition does not specifically point out the particular language of the claims that distinguishes over the references. The petition fails to provide a detailed explanation of how each of the claims are patentable over each of the references with particularity required by 37 CFR 1.111(b) and (c) and not merely state that the references do not disclose the claim limitations. 37 CFR § 1.111 (b) states “[a] general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.” 37 CFR § 1.111 (c) states in part “the applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made.” For example, on page 13 of the accelerated examination support document, in reference to claim 1 and US 20090262583, the petitioner states, “N/A.” The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. For these reasons, the petition does not meet the requirement of section II, element 6.3.

DECISION

For the above-stated reasons, the petition is **denied**. The application will remain in its regular status, and will be taken up by the examiner for action in its regular turn.

Petitioner is reminded that a single opportunity to perfect the petition is given. Therefore, further petitions for accelerated examination procedure under 37 C.F.R. § 1.102(d) will not be entertained.

Any inquiries regarding this decision should be directed to Quality Assurance Specialist (QAS) Michael Day at (571) 272-1568.



Michael Day, QAS
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/901,890	10/11/2010	Zvi Or-Bach	116727-290372	1045
26694	7590	05/12/2011		
VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998			EXAMINER KEBEDE, BROOK	
			ART UNIT 2894	PAPER NUMBER
			MAIL DATE 05/12/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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VENABLE LLP
P.O. BOX 34385
WASHINGTON DC 20043-9998

In re Application of:	:	
Zvi OR-BACH, <i>et al.</i>	:	DECISION ON PETITION TO
Serial No.: 12/901,890	:	MAKE SPECIAL FOR NEW
Filed: 11 October 2010	:	APPLICATION UNDER 37
Title: SEMICONDUCTOR DEVICE AND	:	C.F.R. § 1.102 & M.P.E.P. §
STRUCTURE	:	708.02

This is a decision on the second request for reconsideration of the decision on the petition to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d) filed 3 May 2011. Since the Decision mailed on 7 April 2011 pointed out errors in the AESD that were not specifically pointed out in the Decision mailed 9 March 2011, the second request for reconsiderations has been entertained to afford the petitioner a fair opportunity to correct the identified errors in the AESD. Consequently, the decision to deny the petition, mailed on 7 April 2011, is hereby vacated.

The petition to make the application special for accelerated examination procedure under 37 C.F.R. § 1.102(d) is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the

examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

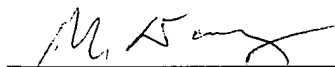
If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist (QAS) Michael Day at (571) 272-1568.



Michael Day, QAS
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Semiconductors, Electrical and Optical
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/901,902	10/11/2010	Zvi Or-Bach	116727-290373	1071
26694	7590	02/10/2011		
VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998			EXAMINER SCARLETT, SHAKA S	
			ART UNIT 2823	PAPER NUMBER
			MAIL DATE 02/10/2011	DELIVERY MODE PAPER

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In re Application of:	:	
OR-BACH et al.	:	DECISION ON PETITION TO
Serial No.: 12/901,902	:	MAKE SPECIAL FOR NEW
Filed: October 11, 2010	:	APPLICATION UNDER 37
Title: SEMICONDUCTOR DEVICE AND	:	C.F.R. § 1.102 & M.P.E.P. § 708.2
STRUCTURE	:	

This is a decision on the petition filed on October 11, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview;
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner; and
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
 - 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable expectation; and
 - 5.3. encompass the disclosed features that may be claimed.
6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:
- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
 - 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
 - 6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
 - 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
 - 6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists; and
 - 6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions regarding the application (section I, subsections 1-4) discussed above are considered to have been met. Additionally, the conditions regarding the petition (section II, subsections 1-4) are considered to have been met. However, the petition fails to comply with the all the conditions set forth in section II, subsections 5 and 6. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Regarding the requirements of section II, subsection 5.1, it appears the search outlined in the petition omitted critical search areas by not searching in class 438 subclasses 109, 455, 458 and 459, class 257 subclasses e21.122, e21.614, e23.085, e25.013 and e25.027 at a minimum to include a stacked array and separation into plural bodies. Any renewed petition should include the above outlined additional searching.

Regarding the requirements of section II, subsection 6.3, petitioner does not specifically point out the particular language of the claims that distinguishes over the references. The petition fails to provide a detailed explanation of how each of the claims are patentable over each of the references with particularity required by 37 CFR 1.111(b) and (c) and not merely state that the references do not disclose the claim limitations. 37 CFR § 1.111 (b) states “[a] general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.” 37 CFR § 1.111 (c) states in part “the applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made.” The support document basically just reiterates all of the limitations of each claim and merely state that the references do not disclose or suggest all of the given limitations. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. For these reasons, the petition does not meet the requirement of section II, subsection 6.3.

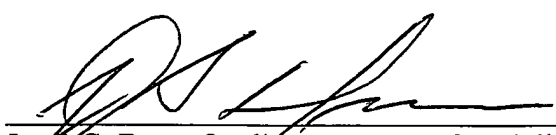
DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petition is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiries regarding this decision should be directed to Quality Assurance Specialist Jose' G. Dees at (571) 272-1569.



Jose' G. Dees, Quality Assurance Specialist
Technology Center 2800
Semiconductors, Electrical and Optical
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/901,902	10/11/2010	Zvi Or-Bach	116727-290373	1071
26694 7590 03/09/2011 VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998			EXAMINER SCARLETT, SHAKA S	
			ART UNIT 2823	PAPER NUMBER
			MAIL DATE 03/09/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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WASHINGTON DC 20043-9998

In re Application of:
OR-BACH et al.
Serial No.: 12/901,902
Filed: October 11, 2010
Title: SEMICONDUCTOR DEVICE AND STRUCTURE

DECISION ON PETITION TO
MAKE SPECIAL FOR NEW
APPLICATION UNDER 37
C.F.R. § 1.102 & M.P.E.P. §
708.02

This is a decision on the request for reconsideration of the petition to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d) filed March 4, 2011. The petition to make special under 37 C.F.R. § 1.102(d) was dismissed on February 10, 2011.

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

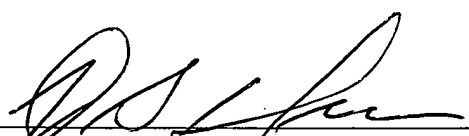
If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist Jose' G. Dees at (571) 272-1569.



Jose' G. Dees, Quality Assurance Specialist
Technology Center 2800
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DLA PIPER LLP (US)
ATTN: PATENT GROUP
P.O. Box 2758
Reston VA 20195

MAILED

SEP 06 2011

OFFICE OF PETITIONS

**DECISION ON PETITION
TO WITHDRAW
FROM RECORD**

In re Application of :
Sylvio Bisson et al. :
Application No. 12/901,933 :
Filed: October 11, 2010 :
Attorney Docket No. 5473-007 US :

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed August 26, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by James M. Heintz on behalf of all attorneys/agents associated with customer number 24510. All attorneys/agents associated with customer number 24510 have been withdrawn.

The correspondence address has been changed.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

cc: Liquid Computing Corporation
340 Terry Fox, Suite 300
Ottawa, Canada K2K 3A2



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/901,933	10/11/2010	Sylvio BISSON	5473-007 DIV

CONFIRMATION NO. 1129

POWER OF ATTORNEY NOTICE



OC000000049662923

24510
DLA PIPER LLP (US)
ATTN: PATENT GROUP
P.O. Box 2758
Reston, VA 20195

Date Mailed: 09/02/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/26/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/kainabinet/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (12-09)

Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **70257.163** Application Number (if known): **12/901976** Filing date: **10/11/2010**

First Named Inventor: **Tao Xu**

Title: **SURFACE-TEXTURED ENCAPSULATIONS FOR USE WITH LIGHT EMITTING DIODES**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request. Applicant hereby rescinds under 37 CFR 1.213(b) any previous filed request that the above-identified application not be published under 35 U.S.C. 122(b).

If the application has been published, the petition must still be accompanied by the publication fee set forth in 37 CFR 1.18(d) and a statement that the application has been published.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that was published in the Federal Register if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature



Date **12/15/2010**

Name (Print/Typed) **Norman E Carte**

Registration Number **30,455**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.



*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Tao XU		
Assignee:	BRIDGELUX, INC.		
Title:	SURFACE-TEXTURED ENCAPSULATIONS FOR USE WITH LIGHT EMITTING DIODES		
Application No.:	12/901,976	Filing Date:	10/11/2010
Examiner:	Unknown	Group Art Unit:	Unknown
Docket No.:	70257.163	Confirmation No.:	1221

Irvine, California
December 15, 2010

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Dear Sir:

The basis for this Petition to Make Special Under the Green Technology Pilot Program is energy conservation. This invention contributes to energy conservation and thus qualifies for the Green Technology Pilot Program because the invention facilitates the manufacture and/or use of light emitting diodes (LEDs) which use substantially less energy than contemporary incandescent and fluorescent lights. Thus, it is respectfully submitted that the materiality standard is met.

Haynes & Boone, LLP
Attorney & Counselors

18100 Van Karman
Suite 750
Irvine, CA 92612-0169

CONCLUSION

Authorization is given to charge any fees due or credit any overpayments in regard to this communication to deposit account 08-1394. If the Examiner has any questions or concerns, a telephone call to the undersigned at (949) 202-3000 is welcomed and encouraged.

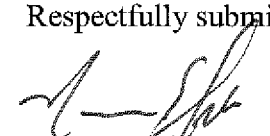
Certification of Electronic Transmission

I hereby certify that this paper is being electronically transmitted to the U.S. Patent and Trademark Office on the date shown below.


Nuo Qu

December 15, 2010
Date of Signature

Respectfully submitted,


Norman E. Carte
Agent for Applicants
Reg. No. 30,455

Haynes & Boone, LLP
Attorney & Counselors

18100 Van Karman
Suite 750
Irvine, CA 92612-0169



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/901,976	10/11/2010	Tao Xu	70257.163	1221
27683 7590 12/22/2010 HAYNES AND BOONE, LLP IP Section 2323 Victory Avenue Suite 700 Dallas, TX 75219				
EXAMINER				
ART UNIT PAPER NUMBER				
2875				
MAIL DATE DELIVERY MODE				
12/22/2010 PAPER				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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Haynes and Boone, LLP
IP Section
2323 Victory Avenue
SUITE 700
Dallas TX 75219

In re Application of	:	
Tao XU	:	DECISION ON PETITION
Application No. 12/901,976	:	TO MAKE SPECIAL UNDER
Filed: October 11, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 70257.163	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 15, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

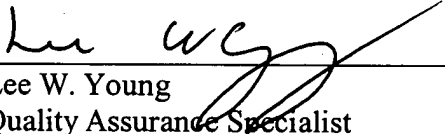
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2875 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SPANSION LLC C/O MURABITO , HAO & BARNES LLP
TWO NORTH MARKET STREET
THRID FLOOR
SAN JOSE CA 95113

MAILED

FEB 10 2011

OFFICE OF PETITIONS

In re Application of	:	
Ogawa et al.	:	
Application No. 12/901990	:	
Filing or 371(c) Date: 10/11/2010	:	
Attorney Docket Number:	:	DECISION
SPSN-AF01802.DIV.CON	:	ON PETITION

This is a decision on the "Response to Notice of Incomplete Nonprovisional Application and Preliminary Amendment," filed November 12, 2010, to add inadvertently omitted material to the present application based upon a priority claim. The response is properly treated as a petition under 37 CFR 1.57(a).

The petition is granted to the extent indicated below.

Background

The application was filed on October 11, 2010. On October 22, 2010, the Office of Patent Application Processing mailed a Notice of Incomplete Provisional Application (hereinafter "Notice"), informing Applicant, *inter alia*, that the application had NOT been accorded a filing date because the application had been deposited without drawings.

Applicant responds with the present petition and request inclusion of the inadvertently omitted drawings, based upon a priority claim to a prior-filed application in accordance with 37 CFR 1.57(a).

Applicant's arguments and evidence have been considered. However, a review of the application confirms that, as filed, the application contained at least one process or method claim. MPEP 601.01(f) provides that:

It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

Thus, pursuant to § 601.01(f), a drawing is not considered essential for a filing date. The instant application is entitled to a filing date without drawings present in the application.

Accordingly, the Office should have granted the application a filing date and mailed a Notice of Omitted Items instead of a Notice of Incomplete Nonprovisional Application. As stated in MPEP 601.01(g) under the section entitled, "Application Entitled to a Filing Date," applicant may submit an amendment to include the inadvertently omitted portion of the drawing(s) pursuant to 37 CFR 1.57(a):

[i]f an application was filed on or after September 21, 2004, and contains a claim under 37 CFR 1.55 for priority of a prior-filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application that was present on the filing date of the application, and the omitted portion of the drawing(s) was inadvertently omitted from the application and is completely contained in the prior-filed application[.]

Please note that no petition is required and that the amendment must comply with 37 CFR 1.57(a) and 37 CFR 1.121. See MPEP § 201.17. Any amendment to include the inadvertently omitted drawing(s) will be considered by the examiner.

To the extent the present petition requests a filing date of October 11, 2010 with no drawings present in the application, the petition is **GRANTED**.

Given the basis for granting this petition, the petition fee has been refunded to applicant's deposit account.

Pursuant to this decision, the application will be referred to OPAP for:

- X **correction of the filing date to October 11, 2010;**
- X **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing and**
- X **for issuance of a filing receipt.**

Telephone inquiries concerning this matter should be directed to Attorney Derek Woods at (571) 272-3232.



Christopher Bottorff
Supervisor
Office of Petitions



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MCCARTHY LAW GROUP
5830 NORTHWEST EXPRESSWAY, #353
OKLAHOMA, CITY OK 73132

MAILED

DEC 02 2010

OFFICE OF PETITIONS

In re Application of	:	
Alan Lyndon Grantz and	:	
Lynn Bich-Quy Le	:	DECISION REFUSING STATUS
Application No. 12/902,035	:	UNDER 37 CFR 1.47(a)
Filed: October 11, 2010	:	
Atty Docket No.: STL14967	:	

This is a decision on the petition filed October 11, 2010 which is being treated under the provisions of 37 CFR 1.47(a).

The petition is **DISMISSED**.

Rule 47 applicant is given **TWO MONTHS** from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 C.F.R. §1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 C.F.R. § 1.136(a).

The above-identified application was filed on October 11, 2010, naming Alan Lyndon Grantz and Lynn Bich-Quy Le as the joint inventors. The filing included, *inter alia*, the present petition under 37 CFR 1.47(a) and a declaration signed by Alan Lyndon Grantz on behalf of himself and non-signing inventor Lynn Bich-Quy Le. Petitioner explains that status under § 1.47(a) is proper because Ms. Le has refused to join in the application.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the

petition fee; and (4) a statement of the last known address of the non-signing inventor. The petition lacks items (1) and (4).

In regard to item (1), Rule 47 applicants have not submitted adequate proof that inventor Le refuses to join in the application. Refusal by inventor Le cannot be inferred as the evidence submitted indicates that the application papers were not delivered to her at her last known address, but rather sent via e-mail. The evidence does not show that inventor Le received the e-mail. It cannot be inferred that she is refusing to sign by her conduct in not responding where it has not been shown that the inventor received and was able to read the application papers sent by e-mail. Her failure to respond may simply reflect that she did not receive the e-mail or that she was unable to open and read the application as e-mailed.

Thus, in the absence of an express statement from a non-signing inventor that she has received, opened and read a document, unlike a printed page in the language of the recipient there is as of this writing no basis to presume that an e-mailed document was in a form that can be read and comprehended.

Therefore, at the very least, petitioner should mail correspondence to the last known address of joint inventor, return receipt and/or forwarding address requested. If a forwarding address is provided, petitioner should then mail a complete copy of the application papers (specification, claims, drawings, oath, etc.) to that address, return receipt requested, along with a cover letter of instructions which includes a deadline or a statement that no response will constitute a refusal. This sort of ultimatum lends support to a finding of refusal by conduct.

In the event that the application papers are returned as undeliverable, petitioners may show diligent efforts to locate the non-signing inventor by providing a copy of an envelope showing that a letter sent to the last known address of the non-signing inventor was returned as undeliverable by the post office. Furthermore, details of the efforts made to locate the non-signing inventor should be set forth in an affidavit or declaration of facts by a person having first-hand knowledge of the details.

Where there is an express or oral refusal, that fact, along with the time and place of the refusal, must be stated in an affidavit or declaration by the party to whom the refusal was made. Where there

is a written refusal, a copy of the document(s) evidencing that refusal must be made part of the affidavit or declaration.

If repeated attempts to contact the non-signing inventor are unsuccessful, petitioners will have demonstrated that the inventors cannot be reached, despite diligent efforts, or have refused to sign the declaration.

Regarding item 4, there is no statement of the inventor's last known address, typically a residential address where the inventor customarily receives mail.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

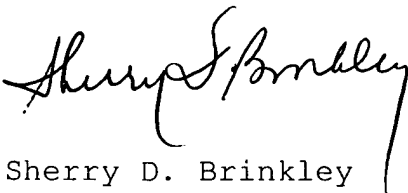
By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

By internet: EFS-Web¹

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204.



Sherry D. Brinkley
Petitions Examiner
Office of Petitions

¹ www.uspto.gov/ebs/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)



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MAY 26 2011

OFFICE OF PETITIONS

MCCARTHY LAW GROUP
5830 NORTHWEST EXPRESSWAY, #353
OKLAHOMA CITY, OK 73132

In re Application of	:
Alan Lyndon Grantz., et al.	:
Application No.: 12/902,035	: DECISION NOTING JOINDER OF
Filed: October 11, 2010	: INVENTOR AND PETITION
Attorney Docket No.: STL14967	: UNDER 37 CFR 1.47(a)
	:

This is in response to the renewed petition, filed April 4, 2011, under the provisions of 37 CFR 1.47(a).

The petition is **DISMISSED AS MOOT**.

On May 17, 2011, a declaration signed by the previously non-signing inventor, Lynn Bich-Quy Lee, was filed in compliance with 37 CFR 1.63.

In view of the joinder of the inventor, further consideration under § 1.47(a) is not necessary. This application does not have any Rule 1.47 status and no such status should appear on the record for this file. This application need not be returned to this Office for any further consideration under 37 CFR 1.47(a).

This application is being referred to Technology Center AU 3656.

Inquiries regarding this communication may be directed to the undersigned at (571) 272-3204. Inquiries concerning the examination or status of the application should be directed to the Technology Center.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions



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JUN 29 2011

OFFICE OF PETITIONS

McDonnell Boehnen Hulbert & Berghoff
LLP/Google Inc.
300 South Wacker Drive, Suite 3100
Chicago, IL 60606

In re Application of King et al.	:	
Application No. 12/902,081	:	DECISION ON PETITION
Filing Date: October 11, 2010	:	UNDER 37 CFR 1.78(a)(6)
Attorney Docket No. 11-238-US-CON	:	

This is a decision on the petition under 37 CFR 1.78(a)(6), filed June 2, 2011, to accept an unintentionally delayed claim under 35 U.S.C. §119(e) for the benefit of the prior-filed provisional applications set forth in the concurrently filed application data sheet.

The petition is **GRANTED**.

A petition under 37 CFR 1.78(a)(6) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after expiration of the period specified in 37 CFR 1.78(a)(5)(ii) and must be filed during the pendency of the nonprovisional application. In addition, the petition must be accompanied by:

- (1) the reference required by 35 U.S.C. § 119(e) and 37 CFR 1.78(a)(5)(i) to the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in § 1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(5)(ii) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

Additionally, the instant nonprovisional application must be pending at the time of filing of the reference to the prior-filed provisional application as required by 37 CFR 1.78(a)(5)(ii). Further, the nonprovisional application claiming the benefit of the prior-filed provisional application must have been filed within twelve months of the filing date of the prior-filed provisional application.

All of the above requirements having been satisfied, the late claim for priority under 35 U.S.C. § 119(e) is accepted as being unintentionally delayed.

The granting of the petition to accept the delayed benefit claim to the prior-filed applications under 37 CFR 1.78(a)(6) should not be construed as meaning that this application is entitled to the benefit of the filing date of the prior-filed applications. In order for this application to be entitled to the benefit of the prior-filed applications, all other requirements under 35 U.S.C. §119(e) and 37 CFR 1.78(a)(4) and (a)(5) must be met. Similarly, the fact that the corrected Filing Receipt accompanying this decision on petition includes the prior-filed applications should not be construed as meaning that this application is entitled to the claim for benefit of priority to the prior-filed applications noted thereon. Accordingly, the examiner will, in due course, consider this benefit claim and determine whether the application is entitled to the benefit of the prior-filed applications.

A corrected Filing Receipt, which includes the priority claim to the prior-filed provisional applications, accompanies this decision on petition.

The application is being forwarded to Technology Center Art Unit 3625 for consideration by the examiner of the claim under 35 U.S.C. §119(e) for the benefit of priority to the prior-filed provisional applications.

Any inquiries concerning this decision may be directed to Senior Petitions Attorney Steven Brantley at (571) 272-3203. All other inquiries concerning either the examination procedures or status of the application should be directed to the Technology Center.



Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions

ATTACHMENT: Corrected Filing Receipt



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
12/902,081	10/11/2010	3625	732	11-238-US-CON	15	2

CONFIRMATION NO. 1416

CORRECTED FILING RECEIPT



OC000000048485955

98929

McDonnell Boehnen Hulbert & Berghoff
LLP/Google Inc.
300 South Wacker Drive, Suite 3100
Chicago, IL 60606

Date Mailed: 06/28/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Martin T. King, Vashon Island, WA;
Dale L. Grover, Ann Arbor, MI;
Clifford A. Kushler, Lynnwood, WA;
James Q. Stafford-Fraser, Cambridge, UNITED KINGDOM;

Power of Attorney: The patent practitioners associated with Customer Number 98929

Domestic Priority data as claimed by applicant

This application is a CON of 11/097,961 04/01/2005 ABN
which is a CIP of 11/004,637 12/03/2004 PAT 7,707,039
and claims benefit of 60/559,226 04/01/2004
and claims benefit of 60/558,968 04/01/2004
and claims benefit of 60/558,867 04/01/2004
and claims benefit of 60/559,278 04/01/2004
and claims benefit of 60/559,279 04/01/2004
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and claims benefit of 60/613,339 09/27/2004
and claims benefit of 60/613,633 09/27/2004
and claims benefit of 60/615,378 10/01/2004
and claims benefit of 60/615,112 10/01/2004
and claims benefit of 60/615,538 10/01/2004
and claims benefit of 60/617,122 10/07/2004
and claims benefit of 60/622,906 10/28/2004
and claims benefit of 60/633,452 12/06/2004
and claims benefit of 60/633,678 12/06/2004
and claims benefit of 60/633,486 12/06/2004
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and claims benefit of 60/634,627 12/09/2004
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and claims benefit of 60/653,372 02/15/2005
and claims benefit of 60/653,663 02/16/2005
and claims benefit of 60/653,669 02/16/2005
and claims benefit of 60/653,899 02/16/2005
and claims benefit of 60/653,679 02/16/2005
and claims benefit of 60/653,847 02/16/2005
and claims benefit of 60/654,379 02/17/2005
and claims benefit of 60/654,368 02/18/2005
and claims benefit of 60/654,326 02/18/2005
and claims benefit of 60/654,196 02/18/2005
and claims benefit of 60/655,279 02/22/2005
and claims benefit of 60/655,280 02/22/2005
and claims benefit of 60/655,987 02/22/2005
and claims benefit of 60/655,697 02/22/2005
and said 11/097,961
claims benefit of 60/655,281 02/22/2005
and claims benefit of 60/657,309 02/28/2005
and claims benefit of 60/566,667 04/30/2004
and claims benefit of 60/558,893 04/01/2004

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.)

If Required, Foreign Filing License Granted: 10/22/2010

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/902,081**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

METHODS AND SYSTEMS FOR INITIATING APPLICATION PROCESSES BY DATA CAPTURE
FROM RENDERED DOCUMENTS

Preliminary Class

705

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER**Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT
PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S.
APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA**

Application No.:	12/902,083	First Named Inventor:	Trishan Efram
Filing Date:	10/11/2010	Attorney Docket No.:	39605-213273
Title of the Invention:	APPARATUS AND METHOD FOR CONTROLLING A POWER INVERTER		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBS/DFS_HELP.HTML](http://www.uspto.gov/ebs/efs_help.html).

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PILOT PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US/2011/055687

The international filing date of the corresponding PCT application(s) is/are: 11 OCTOBER 2011

I. List of Required Documents:

- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**
 - ☒ is attached.
 - ☐ is not attached because the document is already in the U.S. application.
- b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s)**
 - ☒ is attached.
 - ☐ is not attached because the document is already in the U.S. application.
- c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**
- d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**
 - ☒ is attached.
 - ☐ has already been filed in the above-identified U.S. application on _____
- (2) Copies of all documents (except for U.S. patents or U.S. patent application publications)**
 - ☒ are attached.
 - ☐ have already been filed in the above-identified U.S. application on _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

(continued)

Application No.:	12/902,083	First Named Inventor:	Trishan Efram
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II. Claims Correspondence Table:

[illegible]

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	/Glen M. Kellett/	Date	03-13-2012
Name (Print/Typed)	Glen M. Kellett	Registration Number	60,202

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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P.O. Box 1450
Alexandria, VA 22313-1450
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DEC 21 2010

DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2600

Clause Eight Intell. Prop. Service
P.O. Box 131270
Carlsbad CA 92013

In re Application of:

HARRIS, SHAWN DIRK, et al.

Serial No.: 12/902,128

Filed: October 11, 2010

Title: **METHOD AND SYSTEM FOR A
HOSPITALITY ENTITY TO
COMMUNICATE GOODS AND
SERVICES TO A GUEST**

:
:
: DECISION ON PETITION TO
: MAKE SPECIAL FOR NEW
: APPLICATION UNDER 37
: C.F.R. § 1.102 & M.P.E.P. §
: 708.02

This is a decision on the petition filed on October 11, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview.
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the filed of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
 - 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;
 - 5.3. encompass the disclosed features that may be claimed.
 6. must provide in support of the petition an accelerated examination support document.
- An accelerated examination support document must include:

- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
- 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
- 6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
- 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
- 6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;
- 6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions set forth under section I. above are considered to have been met. However, the petition fails to comply with conditions set forth under section II, item 6.5.

For these reasons cited above, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Regarding the requirement in item 6.5 above, the support document does include a showing of support for the claim limitations in the written description. However, there is no showing of support in the claimed benefit application. This application claims benefit to provisional application no. 61/384,734. The showing must also include where each claimed limitation finds support in the benefit application.

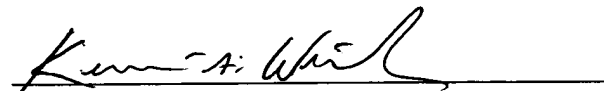
DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Ken Wieder, Quality Assurance Specialist, at (571) 272-2986.


Kenneth A. Wieder
Quality Assurance Specialist
Technology Center 2600
Communications



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Clause Eight Intell. Prop. Service
P.O. Box 131270
Carlsbad CA 92013

JAN 25 2011
DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2600

In re Application of:

HARRIS, SHAWN DIRK, et al.

Serial No.: 12/902,128

Filed: October 11, 2010

Title: **METHOD AND SYSTEM FOR A
HOSPITALITY ENTITY TO
COMMUNICATE GOODS AND
SERVICES TO A GUEST**

DECISION ON PETITION TO
MAKE SPECIAL FOR NEW
APPLICATION UNDER 37
C.F.R. § 1.102 & M.P.E.P. §
708.02

The petition on reconsideration to make the application special filed January 2, 2011 is
GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

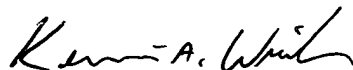
If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Ken Wieder, Quality Assurance Specialist, at (571) 272-2986.



Kenneth A. Wieder
Quality Assurance Specialist
Technology Center 2600
Communications

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Robert Zubrin, et al.
Docket No. : RZ-011
Serial No. : 12/902,143
For : COMPACT NATURAL GAS STEAM REFORMER WITH LINEAR
COUNTERCURRENT HEAT EXCHANGER
Filed : 10/11/2010
Confirmation : 1540

**REQUEST FOR RECONSIDERATION OF
PETITION DECISION UNDER 37 CFR 1.102(D)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

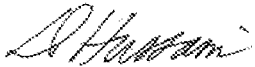
In response to the Petition Decision under 37 CFR 1.102(d), mailed on December 17, 2010, having a 30-day period for response set to expire on January 17, 2011, Applicants are submitting herewith an updated Examination Support Document (ESD) in order to meet the requirements of 37 C.F.R. 1.102(d), Section II, subsection 6.5. *All other conditions section I (1-4), section II (1-5), section II (6.1-6.4), and section II (6.6) were considered to have been met by the instant petition.*

An updated Examination Support Document is being submitted herewith as recommended in the Petition Dismissal. As stated therein, *Applicants show where support for present claims 18-20 is found in the present specification as required by the petition decision dated Dec. 17, 2010.*

Accordingly, Applicants respectfully request grant of the Accelerated Examination Petition and a speedy examination of this application on the merits.

Sincerely yours,

American Patent Agency PC

By:  _____

Daniar Hussain
Registration No. 59,026
(617) 899-9709



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/902,143	10/11/2010	Robert M Zubrin	RZ-011	1540
65513	7590	12/17/2010	EXAMINER	
American Patent Agency PC c/o Daniar Hussain 230 N Craig Street Unit 605 Pittsburgh, PA 15213			ART UNIT	PAPER NUMBER
			3676	
			NOTIFICATION DATE	DELIVERY MODE
			12/17/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

danhussain@gmail.com
dhussain@alum.mit.edu
company@american-patent-agency.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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CST

DEC 17 2010

In re application of	:	
Robert Zubrin et al	:	
Serial No. 12/902,143	:	
Filed: October 11, 2010	:	DECISION ON PETITION
For: COMPACT NATURAL GAS STEAM	:	TO MAKE SPECIAL
REFORMER WITH LINEAR	:	
COUNTERCURRENT HEAT EXCHANGER	:	

This is a decision on the petition filed on October 11, 2010 to make the above-identified application special under the accelerated examination program.

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any dependent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview;
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner;
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
 - 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;
 - 5.3. encompass the disclosed features that may be claimed.
6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
- 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
- 6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
- 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
- 6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support

Application No. 12/902,143

under 35 USC 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions regarding the application (section I, subsections 1-4) discussed above are considered to have been met. Additionally, the conditions regarding the petition, section II, subsections 1-5, are considered to have been met. However, the petition fails to comply with condition II, subsection 6.

It is required that petitioner provide a showing of where each limitation of each of the claims finds support under 35 USC 112, first paragraph, in the written description of the present specification. While petitioner provides a showing of where present claims 1 – 17 are found in the present specification (see pages 14 – 16 of the Accelerated Examination Support Document (AESD)), petitioner has not shown where support for present claims 18 – 20 is found in the present specification.

DECISION

For the above-stated reasons, the petition is dismissed. The application will therefore be taken up by the examiner in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700



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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/902,143	10/11/2010	Robert M Zubrin	RZ-011	1540

65513	7590	01/26/2011
American Patent Agency PC 230 N Craig Street Unit 605 Pittsburgh, PA 15213		

EXAMINER	
----------	--

ART UNIT	PAPER NUMBER
3676	

NOTIFICATION DATE	DELIVERY MODE
01/26/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

company@american-patent-agency.com
dan@apvusa.com
albert@apvusa.com



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1/26/2011

CST

In re application of
Robert Zubrin et al
Serial No. 12/902,143
Filed: October 11, 2010
For: COMPACT NATURAL GAS STEAM
REFORMER WITH LINEAR
COUNTERCURRENT HEAT EXCHANGER

DECISION ON PETITION
TO MAKE SPECIAL

This is a decision on the Request for Reconsideration of Petition to Make Special under the Accelerated Examination Program filed on December 21, 2010 to make the above-identified application special.

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700



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MAILED
JUL 22 2011
OFFICE OF PETITIONS

HOFFMANN-LA ROCHE INC.
PATENT LAW DEPARTMENT
340 KINGSLAND STREET
NUTLEY, NJ 07110

In re Application of	:	
Ashish Chatterji, et al.	:	
Application No. 12/902,186	:	ON PETITION
Filed: October 12, 2010	:	
Attorney Docket No.: 23848 US2	:	

This is a decision on the petition, filed June 22, 2011, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

The petition is **GRANTED**.

The application became abandoned for failure to timely file a reply to a non-final Office action mailed December 17, 2010. No extension of time pursuant to the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the application became abandoned on March 18, 2011. On June 22, 2011, the present petition was filed. A Notice of Abandonment was subsequently mailed on June 28, 2011.

Petitioner seeks revival solely for obtaining copendency with continuing application No. 13/155,465, filed June 8, 2011, in that the necessary continuity inadvertently was not maintained at that time.

Since this application is being revived for purposes of continuity with application No. 13/155,465, and continuity having been established by this decision reviving the above-captioned application, the above-captioned application is again abandoned in favor of the continuing application.

The offer to make the belated payment of the 3-month extension of time fee under 37 CFR 1.136(a) is unnecessary. Extensions of time under 37 CFR 1.136 are available only if asked for "prior to or with the response." If the question of abandonment arises when the provisions of 37 CFR 1.136 can no longer be used, then the application is abandoned when the unextended time for response has expired. In no case, however, may an applicant respond later than the maximum time period set by statute. Since no extension of time fees are due on a petition for revival, the \$1,110 is being refunded to counsel's deposit account.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3204.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions



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SHERR & VAUGHN PLLC
620 HERNDON PARKWAY
SUITE 320
HERNDON VA 20170

MAILED

MAR 19 2012

OFFICE OF PETITIONS

In re Application of	:	DECISION
Oved S.F. Zucker	:	ON PETITION
Application No. 12/902,203	:	
Filed: October 12, 2010	:	
Attorney Docket Number: 557-0003	:	

This is in response to the petition under 37 CFR 1.84(a)(2), filed October 12, 2010, for acceptance of color drawings.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

A grantable petition under 37 C.F.R. 1.84(a)(2) must be accompanied by the following:

- (1) The fee set forth in 37 C.F.R. 1.17(h);
- (2) Three (3) sets of color drawings, or one (1) set if filed via EFS, and
- (3) The specification contains appropriate language referring to the color drawings as the first paragraph in that portion of the specification relating to the brief description of the drawings.

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted when the Office "has determined that a color drawing or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Here, the Office has determined that color drawings are not necessary for an understanding of the invention and are not the only practical medium by which to disclose the subject matter sought to be patented in the utility application.

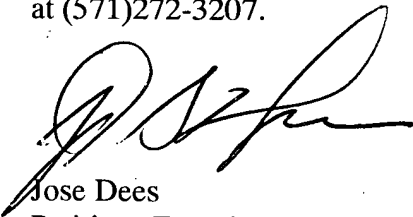
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 PO Box 1450
 Alexandria VA 22313-1450

By FAX: 571-273-8300
 Attn: Office of Petitions

The application is being forwarded to Group Art Unit 2816 for examination in due course.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.

A handwritten signature in black ink, appearing to read 'Jose Dees', is written over the printed name and title.

Jose Dees
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 81204821 (FMC 2803 PUS)

Application Number
(if known): 12/902,215

Filing date: October 12, 2010

First Named
Inventor: Lawrence M. Rose

Title: FUEL CELL SYSTEM AND METHOD OF USING THE SAME

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement to Make Special

Signature /G. Daniel Templeton/

Date March 9, 2011

Name
(Print/Typed) G. Daniel Templeton

Registration Number 47130

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.



*Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)**

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/902,215	10/12/2010	Lawrence M. Rose	81204821	1682
28395 7590 03/28/2011 BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			EXAMINER CANTELMO, GREGG	
			ART UNIT 1726	PAPER NUMBER
			MAIL DATE 03/28/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

3/28/2011

In re Application of	:	
Rose et al.	:	DECISION ON PETITION
Application No. 12/902,215	:	TO MAKE SPECIAL UNDER
Filed: 10/12/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 81204821	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 3/9/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1726 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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AKERMAN SENTERFITT
P.O. BOX 3188
WEST PALM BEACH FL 33402-3188

MAILED
APR 26 2011
OFFICE OF PETITIONS

In re Application of	:	
Winfield Scott Anderson	:	
Application No. 12/902,292	:	DECISION ON PETITION
Filed: October 12, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 8659-5-4 (238138)	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed February 15, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by an attorney on behalf of inventor Winfield Scott Anderson, attesting to his/her age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions



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Charles Runyan
Gallagher and Kennedy
2575 East Camelback Rd
Suite 1100
Phoenix AZ 85016

MAILED

MAY 13 2011

OFFICE OF PETITIONS

In re Application of:	:	
Consigny et al.	:	
Application No. 12/902405	:	DECISION DISMISSING
Filing or 371(c) Date: 10/12/2010	:	PETITION UNDER
Title of Invention:	:	37 CFR 1.47(a)
METHOD AND APPARATUS FOR	:	
DELIVERING AN AGENT TO A KIDNEY	:	

This Decision is in response to the "Petition to Prosecute Application Despite a Non-Cooperating Inventor," filed March 28, 2011, and supplemented April 5, 2011, to allow the other inventor(s) to proceed with the application on behalf of himself or herself and the nonsigning inventor(s). The petition is properly treated under 37 C.F.R. 1.47(a).

The petition is **dismissed**.

Rule 47 applicant is given TWO (2) MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under [insert the applicable code section]"; should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 CFR 1.136(a).

Background

The above-identified application was filed on October 12, 2010, without an oath or declaration. The Office mailed a Notice to File Missing Parts of Nonprovisional Application, on October 29, 2010, requiring *inter alia*, a properly signed oath or declaration.

The present petition

Applicant files the present petition wherein Applicant provides, in relevant part, that nonsigning inventor Fozan El-Nounou has not returned the signed declaration despite having agreed to return the signed declaration. More specifically, petitioner provides he has communicated with Mr. El-Nounou; however, Mr. El-Nounou has neither executed the signed declaration, nor voiced his dissatisfaction with the application content or the declaration content.

Applicable Law, Rules and MPEP

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. Applicant lacks item (1) set forth above.

As to item (1), the MPEP provides:

A refusal by an inventor to sign an oath or declaration when the inventor has not been presented with the application papers does not itself suggest that the inventor is refusing to join the application unless it is clear that the inventor understands exactly what he or she is being asked to sign and refuses to accept the application papers. A copy of the application papers should be sent to the last known address of the non-signing inventor, or, if the nonsigning inventor is represented by counsel, to the address of the nonsigning inventor's attorney. The fact that an application may contain proprietary information does not relieve the 37 CFR 1.47 applicant of the responsibility to present the application papers to the inventor if the inventor is willing to receive the papers in order to sign the oath or declaration.

MPEP 409.03(d).

Analysis

Applicant has not presented evidence that a copy of the application papers were sent to the last known address of the non-signing inventor. Applicant must present a copy of the application papers to the nonsigning inventor. Applicant is cautioned that receipt of an application transmitted via email must be demonstrated by Applicant before a petition may be granted. While receipt of an email may be confirmed by the sender, receipt of an email attachment may not be confirmed by the sender. Applicant must present a copy of the application papers to the nonsigning inventor. The MPEP provides

Proof that a bona fide attempt was made to present a copy of the application papers (specification, including claims, drawings, and oath or declaration) to the nonsigning inventor for signature, but the inventor refused to accept delivery of the papers or expressly stated that the application papers should not be sent, may be sufficient. When there is an express oral refusal, that fact along with the time and place of the refusal must be stated in the statement of facts. When there is an express written refusal, a copy of the document evidencing that refusal must be made part of the statement of facts. The document may be redacted to remove material not related to the inventor's reasons for refusal.

MPEP 409.03(d).

In this instance, Applicant provides that the non-signing inventor has not returned the signed declaration despite having agreed to return the signed declaration. More specifically, petitioner provides he has communicated with Mr. El-Nounou; however, Mr. El-Nounou has neither executed the signed declaration, nor voiced his dissatisfaction with the application content or the declaration content. Petitioner must mail the application (specification, claims and drawings), to the last known address of the inventor. That address should be the last known address at which the inventors customarily receive mail. See MPEP § 605.03. Ordinarily, the last known address will be the last known residence of the nonsigning inventor.

Conclusion

Applicant must present a copy of the application to the nonsigning inventor before a refusal to join in the application may be alleged.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Director for Patents
PO Box 1450
Alexandria, VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

By hand: Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

/DLW/

Derek L. Woods
Attorney
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 83165256

Application Number
(if known): 12/902,447

Filing date: 10/12/2010

First Named
Inventor: Jen et al.

Title: DIESEL ENGINE EXHAUST TREATMENT SYSTEM AND METHOD INCLUDING A PLATINUM GROUP METAL TRAPPING DEVICE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Susan M. Luna/

Date February 18, 2011

Name Susan M. Luna
(Print/Typed)

Registration Number 38769

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.



*Total of ¹ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)**

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/902,447	10/12/2010	Hungwen Jen	83165256	2093
28391 7590 02/24/2011 DINSMORE & SHOHL LLP FIFTH THIRD CENTER ONE SOUTH MAIN STREET, SUITE 1300 DAYTON, OH 45402			EXAMINER	
			ART UNIT	PAPER NUMBER
			3748	
			MAIL DATE	DELIVERY MODE
			02/24/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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DINSMORE & SHOHL LLP
FIFTH THIRD CENTER
ONE SOUTH MAIN STREET, SUITE 1300
DAYTON OH 45402

In re Application of	:	
JEN, HUNGWEN et al	:	DECISION ON PETITION
Application No. 12/902,447	:	TO MAKE SPECIAL UNDER
Filed: Oct. 12, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83165256	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Feb. 18, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to greenhouse gas reduction. This is not convincing. It is not clear how the claimed catalyst in an exhaust will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. It is a common practice to use catalyst in an exhaust to reduce emission. There is no relationship between the statement and the claimed subject matter.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

The application will be forwarded to the Technology Center Art Unit 3748 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Jen et al.
Serial No. : 12/902,447
Filed : October 12, 2010
Title : DIESEL ENGINE EXHAUST TREATMENT SYSTEM AND METHOD
INCLUDING A PLATINUM GROUP METAL TRAPPING DEVICE
Docket : 83165256
Confirm. No. : 2093

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EFS Web Electronic Submission March 9, 2011
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PETITION FOR RECONSIDERATION OF DECISION ON PETITION TO MAKE SPECIAL

Applicants hereby petition for reconsideration of the decision on the petition to make special under the green technology pilot program which was filed on February 18, 2011. In the Decision mailed February 24, 2011, it was indicated that the statement identifying the basis for special status was insufficient. Accordingly, Applicants are providing additional information with regard to the materiality of the invention for the basis of special status.

As described in the background of the specification, previous diesel exhaust treatment systems which have utilized a diesel oxidation catalysts washcoated with platinum group metals are subject to loss of trace amounts of platinum. These trace amounts may accumulate on an SCR catalyst positioned downstream from the oxidation catalyst, inhibiting the function of the SCR catalyst and increasing NO_x levels.

The present application relates to a diesel engine exhaust treatment system which utilizes a platinum group metal trap positioned downstream from a diesel oxidation catalyst which functions to trap trace amounts of platinum group metals released from the diesel oxidation catalyst so that the SCR catalyst positioned downstream from the trap operates efficiently. Thus, the diesel oxidation catalyst removes hydrocarbons and carbon monoxide from the exhaust gas, and the SCR catalyst efficiently removes NO_x from the exhaust stream.

Serial No. 12/902,447
Docket No. 83165256

Accordingly, the exhaust treatment system is believed to contribute to greenhouse gas reduction by virtue of the removal of carbon monoxide and the efficient removal of NO_x by the SCR catalyst due to the inclusion of the platinum group metal trap.

Please direct any questions to the undersigned agent.

Respectfully submitted,

DINSMORE & SHOHL LLP

By /Susan M. Luna/
Susan M. Luna
Registration No. 38,769

Fifth Third Center
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6400
Facsimile: (937) 449-6405



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/902,447	10/12/2010	Hungwen Jen	83165256	2093
28391	7590	03/22/2011		
DINSMORE & SHOHL LLP FIFTH THIRD CENTER ONE SOUTH MAIN STREET, SUITE 1300 DAYTON, OH 45402			EXAMINER	
			ART UNIT	PAPER NUMBER
			3748	
			MAIL DATE	DELIVERY MODE
			03/22/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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DINSMORE & SHOHL LLP
FIFTH THIRD CENTER
ONE SOUTH MAIN STREET, SUITE 1300
DAYTON OH 45402

In re Application of	:	
JEN, HUNGWEN et al	:	DECISION ON PETITION
Application No. 12/902,447	:	TO MAKE SPECIAL UNDER
Filed: Oct. 12, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83165256	:	PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed March 9, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3748 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700



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DOBRUSIN & THENNISCH PC
29 W LAWRENCE ST
SUITE 210
PONTIAC MI 48342

In re Application of :
Stecker et al. :
Application No. 12/902,520 :
Filed: October 12, 2010 :
Attorney Docket No. 1470-004 :

MAILED
NOV 22 2011
OFFICE OF PETITIONS
NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28 filed April 12, 2011.

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

This application is being forwarded to art unit 2881 for processing in the normal course of business.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3215.

Charlema Grant
Attorney Advisor
Office of Petitions



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/902,570	10/12/2010	Adam Graham James	KIL001 P451	2301
277 7590 09/18/2011 PRICE HENEVELD LLP 695 KENMOOR SE P O BOX 2567 GRAND RAPIDS, MI 49501				
EXAMINER				
ART UNIT PAPER NUMBER				
3739				
MAIL DATE DELIVERY MODE				
09/18/2011 PAPER				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Alexandria, VA 22313-1450
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PRICE HENEVELD LLP
695 KENMOOR SE
P O BOX 2567
GRAND RAPIDS MI 49501

In re Application of	:	
<u>JAMES, ADAM GRAHAM</u> , et al	:	DECISION ON REQUEST TO
Application No. 12/902,570	:	PARTICIPATE IN PATENT
Filed: October 12, 2010	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. KIL001 P451	:	PROGRAM AND PETITION
For: FLOW GUIDE	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed August 10, 2011 to make the above-identified application special.

The request and petition are granted.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO/PCT application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the JPO/PCT application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
- (6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application. Upon completion of pre-examination processing, this application will be forwarded to an examiner for examination.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4485. All other inquiries concerning the examination or status of the application should be directed to Linda Dvorak, SPE of Art Unit 3739, and 571-272-4764 for Class 600 and also accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SUGHRUE MION PLLC
2100 PENNSYLVANIA AVENUE NW
SUITE 800
WASHINGTON DC 20037

MAILED
MAR 20 2012
OFFICE OF PETITIONS

In re Application of	:	DECISION
Park, et al.	:	ON PETITION
Application No. 12/902,589	:	
Filed: October 12, 2010	:	
Attorney Docket Number: Q119936	:	

This is in response to the petition under 37 CFR 1.84(a)(2), filed October 12, 2010, for acceptance of color drawings.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

A grantable petition under 37 C.F.R. 1.84(a)(2) must be accompanied by the following:

- (1) The fee set forth in 37 C.F.R. 1.17(h);
- (2) Three (3) sets of color drawings, or one (1) set if filed via EFS, and
- (3) The specification contains appropriate language referring to the color drawings as the first paragraph in that portion of the specification relating to the brief description of the drawings.

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted when the Office "has determined that a color drawing or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Here, the Office has determined that color drawings are not necessary for an understanding of the invention.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 PO Box 1450
 Alexandria VA 22313-1450

By FAX: 571-273-8300
 Attn: Office of Petitions

The application is being forwarded to Group Art Unit 2882 for examination in due course.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.

A handwritten signature in black ink, appearing to read 'Jose Dees', is written over the printed name and title.

Jose Dees
Petitions Examiner
Office of Petitions



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Decision Date : January 19, 2012

In re Application of :

KAI-TAI SONG

Application No : 12902626

Filed : 12-Oct-2010

Attorney Docket No : 304-0167 (NCTU-10003-USI)

DECISION ON REQUEST TO WITHDRAW AS
ATTORNEY/AGENT OF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed January 19, 2012

The request is **APPROVED**.

The request was signed by Michael A. Shimokaji (registration no. 32303) on behalf of all attorneys/agents associated with Customer Number 27431 . All attorneys/agents associated with Customer Number 27431 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with correspondence address:

Name NATIONAL CHIAO TUNG UNIVERSITY

Name2

Address 1 NO.1001, DASYUE RD.

Address 2

City HSINCHU CITY

State

Postal Code 300

Country TW

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions

Doc Code: PET.AUTO Document Description: Petition automatically granted by EFS-Web		PTO/SB/83 U.S. Patent and Trademark Office Department of Commerce	
Electronic Petition Request	REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS		
Application Number	12902626		
Filing Date	12-Oct-2010		
First Named Inventor	KAI-TAI SONG		
Art Unit	3661		
Examiner Name	MICHAEL ZANELLI		
Attorney Docket Number	304-0167 (NCTU-10003-USI)		
Title	WALKING ASSISTIVE SYSTEM		
<input checked="" type="radio"/> Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number:		27431 _____	
The reason(s) for this request are those described in 37 CFR: 10.40(c)(1)(iv) 10.40(c)(3)			
Certifications			
<input checked="" type="checkbox"/> I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment			
<input checked="" type="checkbox"/> I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled			
<input checked="" type="checkbox"/> I/We have notified the client of any responses that may be due and the time frame within which the client must respond			
Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:			
Name	NATIONAL CHIAO TUNG UNIVERSITY		
Address	NO.1001, DASYUE RD.		
City	HSINCHU CITY		
State			
Postal Code	300		

Country	TW
I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/MICHAEL SHIMOKAJI/
Name	Michael A. Shimokaji
Registration Number	32303



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SKYCORE LLC
214 LINCOLN STREET, SUITE 360
ALLSTON, MA 02134

MAILED

AUG 01 2011

In re Application of
Eicher et al.
Application No. 12/902,720
Filed: October 12, 2010
Attorney Docket No. None

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed July 14, 2011, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

The application became abandoned for failure to reply in a timely manner to the Notice to File Corrected Application Papers (Notice), mailed October 22, 2010. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on December 23, 2010. A Notice of Abandonment was mailed July 1, 2011.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); and (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See MPEP 711.03(c)(II)(C) and (D).

This petition lacks item (3) above. The statement of unintentional delay cannot be accepted at this time as the statement of unintentional delay is signed by Richard Eicher, who is one of the applicants in the above-identified application. Petitioner's attention is directed to 37 CFR 1.33(b), which states:

Amendments and other papers filed in the application must be signed by:

- (1) A registered patent attorney or patent agent of record appointed in compliance with § 1.32(b);

- (2) A registered patent attorney or patent agent not of record who acts in a representative capacity under the provisions of § 1.34;
- (3) An assignee as provided for under §3.71(b) of this chapter; or
- (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

Since the petition is not signed by all the inventors and the record herein fails to disclose that petitioner herein (Richard Eicher) was properly given power of attorney to act on behalf of the other inventor, or that he is an assignee of the entire interest and has complied with the provisions of 37 CFR 3.73(b)¹, the petition is considered to not contain a proper statement of unintentional delay.

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

By Hand: U. S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6059.



Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

¹ 37 CFR 3.73(b) provides that: (1) when an assignee seeks to take action in a matter before the Office, the assignee must establish its ownership of the property to the satisfaction of the Commissioner; (2) ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office; (3) the submission establishing ownership must be signed by a party authorized to act on behalf of the assignee; and (4) documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office.



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SKYCORE LLC
214 LINCOLN STREET, SUITE 360
ALLSTON MA 02134

MAILED

SEP 06 2011

In re Application of
Eicher et al.
Application No. 12/902,720
Filed: October 12, 2010
Attorney Docket No. None

OFFICE OF PETITIONS

DECISION ON PETITION

This is a decision on the renewed petition under the unintentional provisions of 37 CFR 1.137(b), filed August 23, 2011, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Corrected Application Papers (Notice) mailed October 22, 2010, which set a shortened statutory period for reply of two (2) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on December 23, 2010. A Notice of Abandonment was mailed on July 1, 2011.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) a substitute Specification, Replacement drawings, the \$65.00 Surcharge fee, the \$270.00 Search fee, and the \$110.00 Examination fee, (2) the petition fee of \$810.00, and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7751.

This application is being referred to the Office of Patent Application Processing for further processing in accordance with this decision on petition.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/902,767	10/12/2010	Hugh Svendsen	1116-351B	2668

71739 7590 10/22/2010
WITHROW & TERRANOVA CT
100 REGENCY FOREST DRIVE , SUITE 160
CARY, NC 27518

EXAMINER

ART UNIT	PAPER NUMBER
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2447

MAIL DATE	DELIVERY MODE
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10/22/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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R. Chad Bevins
WITHROW & TERRANOVA CT
100 REGENCY FOREST DRIVE , SUITE 160
CARY NC 27518

MAILED

OCT 22 2010

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

In re Application of: SVENDSEN, Hugh et. al. ::

Serial No.: 12/902,767 ::

Filed: October 12, 2010 ::

Atty Docket No: 1116-351B ::

Title: OBTAINING AND DISPLAYING
RELEVANT STATUS UPDATES FOR
PRESENTATION DURING PLAYBACK
OF MEDIA CONTENT STREAM BASED
ON PROXIMITY TO THE POINT OF
CAPTURE

DECISION ON PETITION TO
MAKE SPECIAL FOR NEW
APPLICATION UNDER 37
C.F.R. § 1.102 & M.P.E.P. §
708.02

This is a decision on the petition filed on 10/12/10 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the renewed petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention

defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference. Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above. On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition. If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902. A second point of Contact is Kim Huynh at (571)-272-4147.

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400
Networking, Multiplexing, Cable and Security



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/902,825	10/12/2010	Robert A. Stevenson	GREATB-52058	2773
26252 7590 01/12/2011 KELLY LOWRY & KELLEY, LLP 6320 CANOGA AVENUE SUITE 1650 WOODLAND HILLS, CA 91367			EXAMINER	
			ART UNIT	PAPER NUMBER
			3766	
			MAIL DATE	DELIVERY MODE
			01/12/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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KELLY LOWRY & KELLEY, LLP
6320 CANOGA AVENUE
SUITE 1650
WOODLAND HILLS CA 91367

In re Application of: Stevenson et al	:	
Application No.: 12/902,825	:	DECISION ON PETITION TO
Filed: October 12, 2010	:	MAKE SPECIAL FOR NEW
Title: METHODOLOGY AND APPARATUS TO	:	APPLICATION UNDER 37
TERMINATE ABANDONED ACTIVE IMPLANTABLE	:	C.F.R. § 1.102 & M.P.E.P. §
MEDICAL DEVICE LEADS	:	708.02

This is a decision on the petition filed on October 12, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 U.S.C. 103(c).

REVIEW OF FACTS

The conditions I:1-4, II: 1-5, 5.1, 5.2, 5.3, 6, 6.1, and 6.4 above are considered to have been met. However, the petition fails to comply with conditions II : 6.2, 6.3, 6.5, and 6.6 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Discussion

When referring to "the petition" hereinbelow, the received papers under consideration include the PTO/SB/28 form, the "pre-examination search document" including pages 1-8; the "accelerated examination support document" comprising pages 1-105, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 6.2 outlined above, the petition fails to identify all of the limitations in the application claims that are disclosed in each of the reference(s) and where the limitation is disclosed in each of the cited reference. As stated in the policy published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), for each reference cited, the examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. The policy statement does not caveat "the independent claims", nor does it allow for grouping and general discussions. A grantable petition must delineate every limitation of every claim and identify where the equivalent limitation is disclosed in each piece of prior art cited on the IDS. As is published on www.uspto.gov/web/patents/accelerated/ in "Guidelines for Applicants under the new accelerated examination procedures"):

For each reference cited, the accelerated examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. Applicants should specify where in each of the cited references the particular claim limitations are found. This process is intended to be analogous to the analysis an examiner uses when locating a relevant prior art reference and then determining whether the reference contains the claimed limitation. For each claimed limitation, the examiner would consider the disclosure of the reference and all reasonable portions in the reference where the limitation is shown. When preparing an Office Action, the examiner would correlate the limitation to the portion of reference which best characterizes the limitation. This part of the AESD is not intended to be an exhaustive listing of every conceivable subjective interpretation of how a claim limitation may read on the reference. Applicants should point out what are considered to be the relevant representations of the limitation in the reference. A limitation may be found in more than one portion of the reference and should be pointed out, yet the intention is not to have applicants point out every conceivable interpretation. The USPTO will adopt a rule of reason when evaluating this portion of the AESD. Unless the representation is so deficient that it would materially effect examination of the application (e.g., numerous instances where the limitations are not shown where applicant states they are), the representation will be deemed to be sufficient for this part of the AESD.

In the instant petition, petitioner does not address each limitation and where it is (or state that it is not) found in each closest prior art. Every reference found in the IDS is not discussed. The

three Stevenson references included in the IDS must be included in this section even if identified as disqualified prior art under 35 USC 103(c). A disqualification under 35 USC 103(c) is only for use of the reference in an obviousness rejection under 35 U.S.C. 103, therefore, petitioner must establish that the reference is not prior art under 35 U.S.C. 102. See MPEP 706.02(I)(1)I.

MPEP 706.02(I)(1)I in part:

35 U.S.C. 103(c) applies only to prior art usable in an obviousness rejection under 35 U.S.C. 103. Subject matter that qualifies as anticipatory prior art under 35 U.S.C. 102 is not affected, and may still be used to reject claims as being anticipated. In addition, double patenting rejections, based on subject matter now disqualified as prior art in amended 35 U.S.C. 103(c), should still be made as appropriate. See 37 CFR 1.78(c) and MPEP § 804.

Similarly, with respect to the requirements of section II element 6.3 outlined above, the petition fails to provide a detailed explanation of how each of the claims are patentable over (each of) the reference(s) with particularity required by 37 CFR 1.111(b) and (c). Petitioners should be specific in their explanation and include the identification of specific claim limitations that support their position, where appropriate. Petitioners must distinguish each claim from each piece of prior art cited. General statements that the claims are neither anticipated nor rendered obvious by the cited references or that the references are not properly combinable will not be acceptable. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. Petitioner's statements must also be consistent and must be related to the claim language. In the instant petition, the three Stevenson references included in the IDS must be included in this section even if identified as disqualified prior art under 35 USC 103(c) for the same reasons as noted in section 6.2. Additionally, petitioner has stated that the references are predated by the dates of the priority applications as one reason for patentability, however, 35 U.S.C. 112 support has not been shown for all the limitations of the claims in the priority applications so it is unclear how this overcomes the reference since to be given benefit of an earlier filing date the subject matter must be support in the priority application. Furthermore, not a references are discussed relative to all the claims to clearly set forth patentability with regard to both 35 U.S.C. 102 and 103 as required.

A statement that the dependent claims are allowable because the independent claims are patentable is not sufficient. This does not provide guidance to the examiner as to whether the limitations could provide patentability should the examiner find the independent claims unpatentable.

Regarding the requirements of section II element 6.5 outlined above, the requirements of this section are not met. A grantable petition requires petitioner to provide a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists. In the instant petition, some limitations of the claims do not have any reference to support

in the priority applications. If no support is found, a statement to such must be provided since it is not clear whether there is no support or the reference to support was omitted by mistake. Additionally, petitioner has not identified the means plus function elements as required. If there are none, a statement to such must be made.

Finally, regarding the requirements of section II element 6.6, if references are listed as disqualified as prior art under 35 U.S.C. 103(c), there must be an explanation as to why 103(c) applies, why the art qualifies as prior art only under one or more subsections of (e), (f), and (g) of section 102 and provide evidence to establish common ownership (statement of common ownership). See MPEP 706.02(I)(2)II Evidence required to establish common ownership.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/
Linda J. Sholl
Special Programs Examiner
Technology Center 3700



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In re Application of
Robert A. Stevenson

Application No. 12902825

Filed: October 12, 2010

Attorney Docket No. GREATB-52058

:
:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 02-FEB-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket
Number: 083980-0390530 TMT-038-U

Application Number
(if known): 12/902,836

Filing date: October 12, 2010

First Named
Inventor: Brian D. Sawyer

Title: Touch-Safe Solid-State Light Bulb Having Ion Wind Fan

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

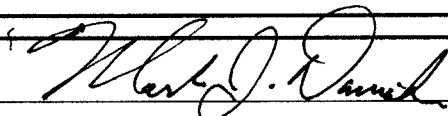
3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature



Date May 2, 2011

Name
(Print/Typed) Mark J. Danielson

Registration Number 40,580

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.



*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/902,836	10/12/2010	Brian D. SAWYER	083980-0390530-13068	2793

27498 7590 05/11/2011
PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. BOX 10500
MCLEAN, VA 22102

EXAMINER

PATEL, NIMESHKUMAR D

ART UNIT	PAPER NUMBER
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2879

NOTIFICATION DATE	DELIVERY MODE
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05/11/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket_ip@pillsburylaw.com



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PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. BOX 10500
MCLEAN VA 22102

In re Application of	:	
SAWYER et al.	:	DECISION ON PETITION
Application No. 12/902,836	:	TO MAKE SPECIAL UNDER
Filed: October 12, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 083980-0390530-13068	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 02, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

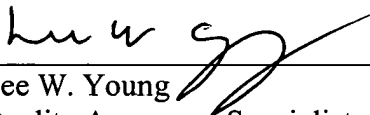
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2879 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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Browdy and Neimark, PLLC
1625 K Street, N.W.
Suite 1100
Washington DC 20006

MAILED
MAY 09 2011
OFFICE OF PETITIONS

In re Application of	:	
Luigi Demicheli	:	
Application No. 12/902,854	:	NOTICE
Filed: October 12, 2010	:	
Attorney Docket No. DEMICHELI=1	:	

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28 April 01, 2011.

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

Inquiries related to this communication should be directed to the undersigned at (571) 272-2783.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions



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ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

MAILED

JUN 10 2011

OFFICE OF PETITIONS

In re Application of
Mikhail German, et al.
Application No. 12/902,888
Filed: October 12, 2010
Attorney Docket No. 052541/396754

DECISION ON PETITION TO WITHDRAW FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed April 1, 2011.

The request is **DISMISSED** as moot.

A review of the file record indicates that the power of attorney to Alston & Bird, LLP has been revoked by the assignee of the patent application on April 29, 2011. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is moot.

All future communications from the Office will continue to be directed to the below-listed address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642.

/AMW/
April M. Wise
Petitions Examiner
Office of Petitions